

RESOLUTION NO. R14-85

**A RESOLUTION OF THE CITY COUNCIL APPROVING THE
REVISED AND UPDATED INTERNAL POLICIES
FOR THE LAUREL POLICE DEPARTMENT.**

BE IT RESOLVED by the City Council of the City of Laurel, Montana:

Section 1: Approval. The Laurel Police Department's revised and updated internal policies are hereby accepted and approved. A copy is attached hereto for convenience.

Section 2: Execution. The Mayor and City Clerk/Treasurer of the City of Laurel are hereby given authority to execute this Resolution on behalf of the City Council and the Policies shall become immediately effective and enforceable upon approval and execution of this Resolution.


Section 3: Repealer. All previous internal policies of the Laurel Police Department are hereby repealed and replace with the attached policies upon approval and execution of this Resolution.

Introduced at a regular meeting of the City Council on December 2, 2014, by Council Member Mountsier.

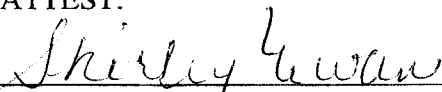
PASSED and APPROVED by the City Council of the City of Laurel this 2nd day of December, 2014.

APPROVED by the Mayor this 2nd day of December, 2014.

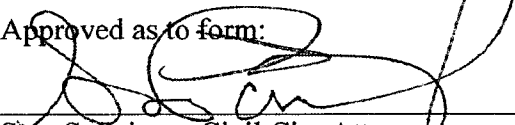
CITY OF LAUREL


Mark A. Mace, Mayor

ATTEST:


Shirley Ewan, Clerk/Treasurer

Approved as to form:


Sam S. Painter, Civil City Attorney

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT. 59044 Phone: 406-628-8737 Fax: 406-628-4641

<u>POLICY SECTION</u>	<u>PAGE NUMBER</u>
MISSION STATEMENT	1
POLICY STATEMENT	1
FOREWORD	1
MEANING OF LPD PATCH	2
ABANDONED VEHICLE	3
ACCIDENT INVESTIGATION	5
ADMINISTRATIVE LEAVE WITH OR WITHOUT PAY	6
ANIMAL CONTROL	8
ASP / BATON	11
AWARDS	12
BIASED BASED LAW ENFORCEMENT	16
BOMB THREAT	20
COMPLAINTS AND INTERNAL INVESTIGATIONS	23
CRIMINAL JUSTICE INFORMATION AND DISSEMINATION	27
CRITICAL INCIDENT STRESS MANAGEMENT	34
CUSTODY AND DISPOSITION OF PROPERTY	37
DAILY DUTIES	38
DISCIPLINE	40
DISPATCH	42
ELECTRONIC CONTROL DEVICES	45
EMERGENCY VEHICLE OPERATION	50
FIELD TRAINING	51
FIREARMS	53
GENERAL ARREST AND CUSTODY	60
GENERAL CONDUCT	63
HIRING OF SWORN PERSONNEL	67

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT. 59044 Phone: 406-628-8737 Fax: 406-628-4641

<u>POLICY SECTION</u>	<u>PAGE NUMBER</u>
INTOXICATED PERSONS	71
JUVENILE ARREST AND CUSTODY GUIDELINES	73
LIGHT DUTY	77
MISCELLANEOUS RULES AND REGULATIONS	82
MUTUAL AID	83
NON DISCRIMINATION	84
OFFICER INVOLVED SHOOTING	85
OLEORESIN CAPSICUM	89
PARTNER OR FAMILY MEMBER ASSAULT	91
PARTNER OR FAMILY MEMBER ASSAULT, EMPLOYEE	93
PERFORMANCE EVALUATION	98
PERSONS WITH MENTAL DISORDERS	100
RADIO EQUIPMENT	104
RELATIONS WITH SUPERIOR OFFICERS	105
RETIRED OFFICERS	107
RIDE ALONG	108
SEARCH AND SEIZURE	110
SOCIAL MEDIA	113
SPECIAL DUTY AND ADVANCEMENT	117
SPECIAL TACTICAL SITUATIONS	118
TRANSPORTING SUSPECTS IN CUSTODY	119
UNIFORM REGULATIONS	133
USE OF DEPARTMENT PROPERTY	139
USE OF FORCE	141
VEHICULAR PURSUITS	144

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

MISSION STATEMENT

The Laurel Police Department shall be fair and consistent in all matters of law enforcement.

POLICY STATEMENT

This police policy and procedure manual does not supersede or replace the City of Laurel personnel manual, but is to be used in conjunction with said manual. Employees of the Laurel Police Department shall be held accountable to both policies.

The words he or his in the following document are not to be construed to mean the male gender only, but are to be used in the reference to police officers whether male or female.

FOREWORD

The policies, rules and regulations contained in this manual are published for the information and guidance of the Laurel Police Department. They are not intended to cover every conceivable situation that may arise in the discharge of police duties, as there will be times when the officer will utilize his own discretion and good judgment. In fact, an officer's value to this department will be gauged by not only by his compliance with these rules and regulations, but by his demonstration of good judgment, zeal, and loyalty to his administration, department, and the law enforcement profession.

All employees will be required to read this manual and familiarize themselves with it so that they may know their duties and perform them properly. It must be remembered at all times that as an employee you were hired to serve the public and that the laws and rules regulating your function hinge on this principle. Your duties shall be performed with zeal and professionalism. Passion shall not lead you to brutality, nor shall fear, favoritism, or sympathy direct your actions towards illegal leniency or failure to perform your duties in a lawful manner.

It must always be borne in mind that all persons having business, in whatever capacity, with the Laurel Police Department, are entitled to courtesy and respectful consideration, as well as to every assistance that may be rendered under the rules and purpose of this department. Every employee is expected to give such assistance cheerfully and in keeping with the idea that he is an employee of the public engaged to protect and serve.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

The Meaning of the Laurel Police Department Patch

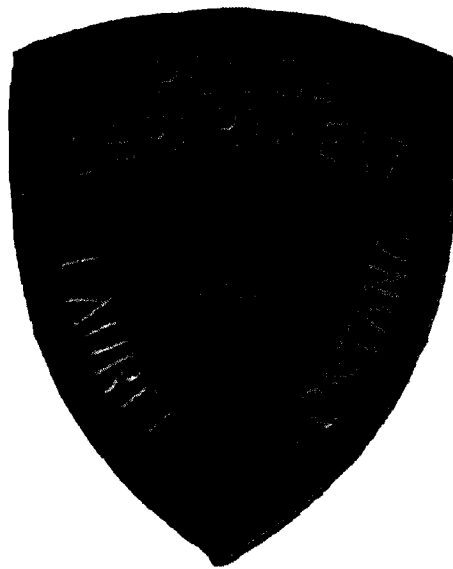
Around the Montana State Seal there is a star with seven points. The number seven is found throughout the Bible and it represents perfection or completion.

In each point of the star is an acorn. The symbol of the acorn is often seen on military tombs and it stands for power, authority, and strength.

Aqua blue is associated with speech and communication.

The color blue stands for peace and tranquility.

The gold trim represents wisdom.



LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(I) ABANDONED VEHICLE POLICY / LEVEL 1

1) PURPOSE

- a) The purpose of this policy is to establish a process for handling abandoned vehicles within the incorporated city limits of Laurel. This policy shall set forth guidelines and criteria for the proper enforcement and disposal of abandoned vehicles.
- b) The intent of this policy is to keep the City of Laurel free of hazards caused by abandoned vehicles and to have effective enforcement procedures to handle abandoned vehicles.

2) POLICY

- a) The Parking Officer shall be responsible for all abandoned vehicle calls during his/her work hours. This would include those calls of all vehicles parked in the incorporated city limits of Laurel in violation of Laurel City Ordinances for parking and abandoned vehicles.
- b) The Parking Officer shall not have powers of arrest but shall be authorized to issue Notices to Appear for parking and abandoned vehicle violations specified by City of Laurel Ordinances and Montana Code Annotated Traffic Regulations.
- c) The Parking Officer shall be under direct supervision of the Chief of Police or the command officer in charge during the Chief's absence. The Chief of Police is responsible for scheduling work hours for the Parking Officer. In the absence of the Parking Officer due to scheduled days off or other commitments, Laurel Police Patrolmen will handle parking and abandoned vehicle complaints.

3) PROCEDURE

- a) For the purpose of this procedure, "Officer" will be the Parking Officer, or in his/her absence a Police Officer.
- b) When a complaint of an abandoned vehicle is received, the Officer will respond to the location and notify dispatch of the exact location, make, model, and license number of the vehicle. The Officer will mark the vehicle tire in an area that is readily visible for the purpose of seeing if the vehicle has been moved. The Officer will also complete a warning sticker and place it noticeably on the vehicle. The warning sticker will have the vehicle information completed, advising the date that further enforcement action will to be taken. The Officer will log into the narrative of

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

the report the date and time the vehicle was tagged and when the vehicle is to be moved.

- c) If the owner fails to correct the violation within the specified time, a citation may be issued for violation of Laurel City Ordinance 10-48-070 if the owner is known. When the required number of days has expired for the violation and the vehicle hasn't been moved, the vehicle may be referred to Yellowstone County Junk Vehicle Department for disposal.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(II) ACCIDENT INVESTIGATIONS / LEVEL 1

1) PROCEDURE

- a) All accidents that occur in within the city limits on public property will be investigated and an accident form completed.
- b) This will include accidents where the vehicles have been moved. Show in the diagram where the final resting places of the vehicles were, when the officer arrived. Show in dotted lines the position of the vehicle when the accident occurred.
- c) If the vehicles have been moved to where a diagram cannot be done, note on the accident form: **VEHICLES MOVED, NO DIAGRAM POSSIBLE.** Note in the narrative section a brief description of what each driver stated. The only exception to this is when both vehicles have left the scene of the accident, I.E. they drove to the Laurel Police Department to report the accident), in this case a white form will be issued.
- d) All hit and run accidents on public property will be investigated and have an accident form completed. When a suspect vehicle is found, the information will be added to the case.
- e) On private property accidents, without evidence of traffic crime, white forms will be issued and officers will facilitate the exchange of information. A narrative will be completed in the case report.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(III) ADMINISTRATIVE LEAVE WITH OR WITHOUT PAY / LEVEL 2

1) PURPOSE

- a) The Laurel Police Department should observe all other appropriate policies and procedures generally applicable to investigation of alleged employee misconduct. The Laurel Police Department should respect the rights of the accused employee under applicable Collective-Bargaining Agreements and case law.
- b) The chief of police or acting chief of police in his/her absence, may temporarily place an employee on administrative leave with pay. A command officer may place an employee on administrative leave with pay for the remainder of a shift. The employee will immediately leave all City of Laurel property until ordered to return.
- c) Administrative investigations should be conducted by an officer designated by the Chief of Police or by an outside agency as directed by the Chief of Police.
- d) Where sufficient information exists, the Laurel Police Department shall make appropriate restrictions to assignments, law enforcement powers, building and record access, and the Department will consider administrative reassignment and/or leave.
- e) An employee on administrative leave, with or without pay, will not be allowed unrestricted access to the Laurel Police Department and must be escorted and supervised when at the Laurel Police Department. The employee will turn in all access cards, identification cards, department issued badges, department owned firearms and will not wear the uniform of the Laurel Police Department.
- f) In determining the proper course of action, the Laurel Police Department may consider consulting with treatment professionals and reviewing such factors as the employee's past conduct and history of complying with agency rules.
- g) Laurel Police Department employees may be ordered to undergo a fitness for duty evaluation, psychological exam, and/or a chemical dependency assessment prior to any final disposition. The employee may return to full duty pending results of the examinations by a health provider of the agency's choosing. The employee may acquire a second opinion at the employee's expense. If the two opinions disagree, the employee and representatives of this agency shall cooperate and act in good faith in

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

selecting a third health-care provide to provide an opinion, and both parties shall be bound by the majority opinion.

2) LOSS OF CERTIFICAITON

- a) **LEVEL 3** / Any Laurel Police Department member that loses any certification, license, or clearance that is needed in the performance of their duties will immediately be placed on suspension. The member may use any accumulated vacation, compensation time, or saved holidays during the suspension; otherwise the suspension will be unpaid. The member will have 60 calendar days from the date of such loss to have that loss reinstated. If the member fails to have the loss reinstated within the 60 day time period, a hearing will be called with the Chief of Police, Mayor, and City Attorney. They will hear from the member and any other witnesses to decide on the member's employment status.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(IV) ANIMAL CONTROL POLICY / LEVEL 1

1) PURPOSE

- a) The purpose of this policy is to define the duties, role, and responsibility of the Animal Control Officer within the Laurel Police Department. The intent of this policy is to institute operative guidelines regarding specific tasks and designated responsibilities.

2) ANIMAL CONTROL OFFICER

- a) The Animal Control Officer shall be responsible for animal calls during his/her work hours. This would include those calls of live animals as well as removal of deceased animals from city streets or ways open to the public within the incorporated city limits of Laurel.
- b) The Animal Control Officer shall not have powers of arrest, however, shall be authorized to issue Notices to Appear for animal violations specified by City of Laurel Ordinances.
- c) The Animal Control Officer shall be directly supervised by the Chief of Police or the command officer in charge during the Chief's absence. The schedules work hours of the Animal Control Officer shall be set by the Chief of Police.
- d) In the absence of the Animal Control Officer, due to scheduled days off, Laurel Police Patrol Officers shall handle all animal control complaints received.
- e) For purposes of this chapter, impound is defined as boarding an animal at the Laurel or Billings animal shelter.

3) SPECIFIC DUTIES

- a) The Animal Control Officer shall check for current City of Laurel dog licenses. A citation may be issued to the owner of any dog not having a current City of Laurel dog license as per City of Laurel Ordinance.
- b) The Animal Control Officer, in cases of nuisance or vicious dog complaints, shall ascertain if said dog has valid rabies vaccinations as well as current City of Laurel dog license. A citation may be issued to owner of said dog in violation of City of Laurel Ordinance.
- c) The Animal Control Officer shall have the authority to capture and impound any dog which is running at large within the incorporated city

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

limits of Laurel. A citation may be issued to the owner of the dog, in violation of City of Laurel Ordinance.

- d) The Animal Control Officer shall carry a functioning portable radio and be in constant radio availability from dispatch.
- e) Other duties of the Animal Control Officer may be added as the Chief of Police deems necessary.

4) PROCEDURES

- a) When a complaint is received, the Animal Control Officer will be dispatched to the location of the complaint. In the absence of the Animal Control Officer, a Patrol Officer will be dispatched to said complaint. For purposes of this procedure, "Officer" will be either the Animal Control Officer or in his/her absence a Police Patrol Officer. The following will be the procedure for handling specific animal complaints:
 - 1. Dog at Large- Officer will respond and attempt to capture the dog. If the owner is known, the dog will be returned and a citation will be issued. If the owner is not known the dog will be taken to impound and a citation will be issued as per Laurel City Ordinance 6-08-070. If the dog does not have current City of Laurel license, a citation for Dog License will be issued per Laurel City Ordinance 6-08-010.
 - 2. Nuisance Dog (barking) - The officer will respond and park in the area to listen for the barking dog, trying to ascertain a location of the dog. The Officer will remain in the area for a reasonable amount of time to determine if the dog is barking. The officer will ascertain from the complainant their desire to fill out a written statement and pursue charges. Based on this statement the officer will make contact with the owner and get a description of the dog and issue a citation or warning. The description of the dog will be placed into the case narrative for future complaints. If nobody is at the residence, a door hanger will be left informing the occupant(s) of the citation or warning.
 - 3. Nuisance Dog (barking but unfound) - The officer will respond to the scene and park in area to listen for the barking dog and to verify the location of dog. If the barking dog is not found, the officer will add that to the case narrative. . The officer will ascertain from the complainant their desire to fill out a written statement and pursue charges, explaining they may be required to

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

testify at court. Based on this statement the officer may make contact with the owner, get a description of the dog, and issue a citation or warning. If nobody is at the residence, a door hanger will be left informing the occupant(s) of the citation or warning.

4. Vicious Dog (owner known) – The officer will respond to any vicious dog complaint and first determine if medical attention is needed, dispatching EMS when needed. The officer will attempt to capture the dog if dog is running loose. If the owner is known, the dog will be released to the owner and a citation for Nuisance Dog as per the Laurel City Ordinance 6-16-030. The officer will be responsible to determine if the dog in question has current rabies vaccination. If the owner does not have proof of a current rabies vaccination, the dog will be placed on a 14 day quarantine at the owner's expense. The owner will be notified that the dog cannot be destroyed during the quarantine period, that the dog must be kept inside, and if the dog is allowed outside that the animal has to be on a leash and under direct supervision. The officer will fill out a quarantine notice form and obtain a statement from the victim about the circumstances surrounding the vicious dog complaint.

5. Vicious Dog (owner unknown) – The officer will respond to any vicious dog complaint and first determine if medical attention is needed, dispatching EMS if necessary. The officer will attempt to capture dog. If the dog is caught and the owner is unknown, the officer will transport the dog to impound. A citation will be issued for Nuisance Dog per Laurel City Ordinance 6-16-030. A quarantine notice will be filled out and left at impound for Kennel Personnel. The officer will obtain a statement from the victim and any witnesses about the circumstances surrounding the vicious dog complaint.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(V) ASP / BATON / LEVEL 2

1) TRAINING / USE

- a) Service owned police batons/Asps may be issued to or purchased by officers who have been trained properly in their use. Training may have been through the Montana Law Enforcement Academy class or through departmental in service training with a certified instructor. Until an officer has been trained with baton he will not be authorized by this department to carry the same.
- b) Officers of this department shall never intentionally strike a subject in the head or neck with a baton except in the case of danger of imminent death or serious bodily harm to the officer or another person in his presence.
- c) If a subject is injured from a police baton/Asp, a proper medical examination will be conducted. A medical report shall be filed with the department on its findings.
- d) Officers of this department will give a full written report of use of force with the baton/Asp, or use of force in any manner. This report will be forwarded through the chain of command. All reports will describe the circumstances as thoroughly and accurately as the officer's knowledge of the facts permit.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

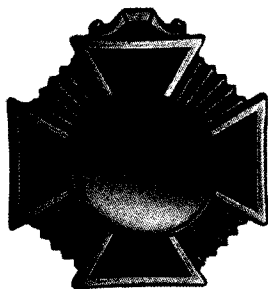
(VI) AWARDS, SWORN

1) OFFICER AWARDS

- a) It is the intent of the Laurel Police Department to design and implement an award system that recognizes an officer who does significantly above and beyond the routine performance of their sworn duties. Recognition Awards are intended to be specifically earned and deserved and are not intended to recognize officers who merely excel at the performance of their routine sworn duties.
- b) Officers of the Laurel Police Department, including Laurel Police Reserve Officers, may receive the following awards. It isn't required that an officer be on duty or in jurisdiction to receive any award. Officers must be nominated by the Chief of Police to the Laurel City Mayor. The Mayor will present the medal to the officer in front of the Laurel City Council.
- c) The Laurel Chief of Police may also nominate to the Mayor an officer from another agency that was acting within the City Limits of Laurel and met the criteria to be awarded the medal.

2) MEDAL OF HONOR

- a) The Medal of Honor is awarded to an officer who performs any act of outstanding personal bravery while knowingly placing their life in imminent danger with a disregard for their personal safety, receiving injury while doing so. This award is also given to an officer that places their life in imminent danger to save the lives of multiple persons. This award is also to be issued to an officer who died at the hands of another while in the performance of their duties.

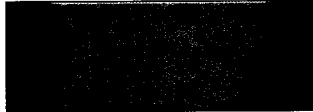


- b) The Medal of Honor award will be similar to the above design, being gold with dark purple accents. The award will have the Montana State Seal in the center. There will be a banner above the state seal stating "Laurel

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

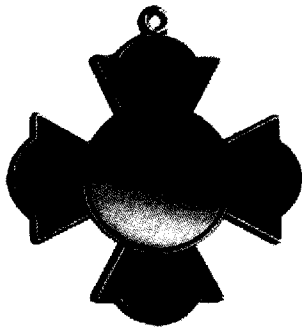
Police Department”. There will be a banner below the state seal stating “Medal of Honor”.



- c) The ribbon for the Medal of Honor will be gold and dark purple in color in the pattern shown in the above example.
- d) The Medal of Honor is the highest medal awarded by the Laurel Police Department.

3) MEDAL FOR VALOR

- a) The Medal for Valor is awarded to an officer who performs any act of outstanding personal bravery while knowingly placing their life in imminent danger with a disregard for their personal safety. An officer knowingly placing themselves in danger to save the life of another would receive this award.



- b) The Medal for Valor award will be similar to the above design, being gold with dark purple accents. The award will have the Montana State Seal in the center. There will be a banner above the state seal stating “Laurel Police Department”. There will be a banner below the state seal stating “Medal for Valor”.

LAUREL POLICE DEPARTMENT

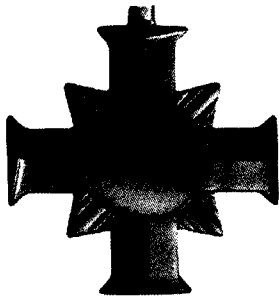
215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641



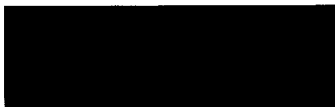
- c) The ribbon for the Medal for Valor will be gold and dark purple in color in the pattern shown in the above example.
- d) The Medal for Valor is the second highest medal awarded by the Laurel Police Department.

4) POLICE COMBAT CROSS

- a) Officers who have performed an act of extraordinary heroism while engaged in a form of personal combat with an armed adversary are awarded this medal. An officer receiving or being in danger of receiving serious bodily injury at the hands of another, would also receive this award.



- b) The Police Combat Cross will be similar to the above design, being gold in color. The award will have the Montana State Seal in the center. There will be a banner above the state seal stating "Laurel Police Department". There will be a banner below the state seal stating "Police Combat Cross".



- c) The ribbon for the Police Combat Cross will be gold and dark purple in color in the pattern shown in the above example.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- d) The Police Combat Cross is the third highest medal awarded by the Laurel Police Department.

5) WEARING OF THE RIBBONS

- a) Ribbons are worn on the right side of the shirt, above the name tag and service stars.
- b) The highest ribbons will be worn toward the right shoulder with lesser awards being worn toward the center of the chest. For multiple rows, the highest ordered ribbon is worn at the upper most row, closest to the shoulder. Awards will be worn three to a row.
- c) For every subsequent award of the same class, a brass oak leaf pin will be added to the ribbon.
- d) Awards from any other agency or department will be worn to the center or below any Laurel Police Department awards.

5) LAUREL POLICE DEPARTMENT COMMENDATION FOR MERIT

- a) This award is for a civilian or a non-sworn employee of the Laurel Police Department. To be eligible to receive this award, the Laurel Chief of Police will nominate the person to the Laurel City Mayor. The Mayor will present the award in front of the Laurel City Council.
- b) This award will be given to a non-sworn employee who does an action that resulted in great credit being brought to the Laurel Police Department. Recognition Awards are intended to be specifically earned and deserved and are not intended to recognize individuals who merely excel at the performance of their routine duties. This award is to be given to someone whose actions displayed a superior insight and effort which resulted in an important apprehension of a suspect, solution to a crime, or a successful conclusion to a sensitive and stressful situation.
- c) This award is also for any citizen who puts themselves in imminent danger to aid a Laurel Police Officer or other person.
- d) The award itself will be a certificate accompanied with a description of their actions, typed on department letterhead.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(VII) BIASED BASED LAW ENFORCEMENT / LEVEL 2

1) PURPOSE

- A) The purpose is to provide guidelines and to reaffirm the commitment of all employees of the Laurel Police Department to fair and unbiased provisions of law enforcement services and to assure the public of this commitment.

2) DEFINITIONS

- a) Racial profiling means the detention, official restraint, or other disparate treatment of an individual based solely on their individual race or ethnicity.
- b) Minority Group is defined as individuals of African American, Hispanic, Native American, Asian, or Middle Eastern descent.

3) POLICY

- a) Impartial Law Enforcement can be achieved by ensuring that investigative detentions, traffic stops, arrests, searches and property seizures by officers only occur upon meeting the standard of particularized suspicion, or probable cause in accordance with the Fourth (4th) Amendment of the U.S. Constitution and Article II of the Montana Constitution.
- b) Officers must be able to articulate specific facts and circumstances that support particularized suspicion or probable cause for all investigative detentions, traffic stops, arrests, non-consensual searches, and property searches.
- c) Officers shall not consider race or ethnicity in establishing either particularized suspicion or probable cause unless combined with other particularized factors.
- d) Officers shall not consider race or ethnicity in deciding to initiate non consensual encounters that do not constitute legal detentions or requests to consensual searches, unless combined with other particularized factors.
- e) Race or ethnicity alone shall never be motivating factors in making law enforcement decisions.
- f) Officers shall advise, prior to or as reasonably practical, their respective communication center of all traffic stops.
- g) Public safety communicators shall document and record each notification

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

of a traffic stop.

4) OTHER PARTICULARIZED FACTORS

- a) Officers may take into account the reported race or ethnicity of specific suspect(s) based on reliable locally relevant information that links a person of a specific race or ethnicity to a particular unlawful or suspicious incident. Race or ethnicity will never be used as the sole basis for particularized suspicion or probable cause.

5) PREVENTING PERCEPTIONS OF BIAS

- a) In an effort to prevent inappropriate public perceptions of biased law enforcement, each officer shall:
 - 1. Be courteous and professional in their contacts with all persons;
 - 2. In all cases of vehicle stops or personal encounters, introduce themselves to the person and state the reason for their presence, unless providing such information will compromise officer or public safety prior to requesting their driver license, registration, and proof of insurance.
 - 3. Ensure that temporary detentions in the field of any person are no longer than is reasonably necessary to take appropriate action based upon the facts known at the time or upon the suspected offense. Take all reasonable measures to ensure the person being detained clearly understands the circumstances that could result in a reasonable delay occur.
 - 4. Answer all reasonable questions the persons may have, including providing them with an explanation of the judicial process, if relevant.
 - 5. Politely provide the person with their name and badge number on a business card or in writing when such information is requested.
 - 6. Be sincere and contrite to the person in a prompt and professional manner and provide an explanation for the inconvenience, should the detention be deemed unreasonable or unfounded.
- b) When the person being investigated or detained takes an aggressive posture or becomes combative with physical actions, all of which may reasonably be considered a threat to any person present, officers

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

may use all reasonable and necessary force or commands to stabilize the situation.

6) COMPLIANCE

- a) Written complaints of a violation of this policy shall be promptly and fully investigated by the so-named designated officer of the Laurel Police Department.
- b) The so-named designated officer shall make personal contact with the complainant within ten (10) days of receipt of the complaint.
- c) Upon completion of the investigation, the so-named designated officer shall notify the complainant and the Chief of Police in writing the results of the investigation.
- d) If the complainant is unsatisfied with the results of the internal investigation, the Chief of Police may make a referral to an appropriate outside agency for investigation.

7) FIRST LINE SUPERVISOR RESPONSIBILITY

- a) Supervising officers shall ensure that all personnel under their immediate command are familiar with, and understand the contents of this policy. Supervising officers shall take all reasonable measures to ensure and monitor compliance.

8) TRAINING

- a) All sworn officers shall attend training in regard to biased based law enforcement and racial profiling. The Laurel Police Department training officer shall ensure that records of training are current and correct and adequately documented in the officer's training file.
- b) Training courses may include topic matter pertaining to understanding and respect for racial and cultural differences and effective and non-combative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

9) PRETEXTUAL STOPS OF MINORITIES

- a) Officers shall not routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

10) DRIVER DOCUMENTATION

- a) Officers shall document the race or ethnicity of the driver for each traffic stop.
- b) Officers shall use their best subjective observational skills to document the race or ethnicity of the driver. Officers shall not ask the race or ethnicity of the driver.

11) DATA COLLECTION AND PERIODIC REVIEW

- a) The Laurel Police Department will collect and accumulate data from each traffic stop.
- b) The Chief of Police or their designee shall periodically review the data to determine whether any officers have a pattern of stopping members of minority groups in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the Agency.

12) CORRECTIVE ACTIONS

- a) The Laurel Police Department will provide appropriate counseling and training for any officer who is found to be engaged in biased based traffic stops.
- b) Any counseling and training will be implemented within 90 days of the periodic review.
- c) The Laurel Police Department may take other disciplinary action the Chief of Police deems appropriate.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(VIII) BOMB POLICY

1) POLICY

- a) The safety of life is the first consideration in any situation involving bomb threats and or bombs. The responsibility of protecting personnel, assets and equipment of a facility lies with the management of the facility receiving the bomb threat.

2) OFFICER RESPONSIBILITIES

- a) Upon receiving a report of a bomb threat, a Laurel Police Officer will respond and immediately contact the person in charge of the facility. If the threat was not made to the facility itself, the officer will explain the received threat.
- b) It will be the decision of the facility's management as to what course of action will be taken. The management of the facility will decide whether to evacuate or not.
- c) If the facility management doesn't wish to evacuate or conduct a search, and wishes no further action from the LPD; then the officer will clear and leave the scene. The officer will ensure that an incident report is completed and that management's actions are noted in the report. It is not a police decision unless there is compelling evidence or concern to believe that there is an immediate and real danger to life.
- d) If the facility's management wishes the LPD to assist, the following is a check list that should be followed by the officer in charge:
 - 1. If the threat was received by the facility itself, have the person who received the threat fill out the LPD Bomb Threat Check Sheet.
 - 2. Recommend to the facility supervisor to either check or have employees who are familiar in their own work areas, check their areas. As they are aware of what should be in their areas and they are also more familiar with possible hiding places for explosive devices.
 - 3. Explain to everyone involved that if any suspicious item is located that it is not to be touched, moved, opened, or disturbed in any way.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

4. Check all internal areas for anything suspicious or out of the ordinary. Areas to be checked should be public areas, hallways, lobbies, stairways, restrooms, furnace/utility rooms, closets and storage areas.
5. The outside of the building should be checked paying attention to shrubbery, behind ledges or ornamental facings, in and under trash cans, and any vehicles parked next to the building.

3) ACTIONS UPON LOCATING A SUSPICIOUS OBJECT

- a) If a suspicious item is found, the building must be evacuated leaving the building in the current condition (i.e. windows left open/closed, lights on, computers on, etc.).
- b) No radio transmissions or cellular phone use should be made within fifty feet of the area or building involved.
- c) If the danger zone is located, the area should be blocked off or barricaded with a clear zone of three hundred (300) feet until the object has been removed or disarmed by the explosives ordinance disposal specialists.
- d) Have the fire department and medical personnel stage at least 1000 feet from a threat, keeping in mind there could be multiple explosive devices set up to injure emergency responders.
- e) Report the location and an accurate description of the object to the bomb technician.
- f) Check the outside area for a secondary device which could be detonated.
- g) Do not attempt to cover the object.
- h) Contact appropriate explosives ordinance disposal personnel. Begin with the Billings Police Department Bomb Squad. If they aren't available contact the U.S. Army Reserve Center, The Montana National Guard, A.T.F. or another law enforcement agency within the state.
- i) Contact command and activate reserves.
- j) Do not permit re-entry into the building until the device has been removed/disarmed and the building declared safe for re-entry.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

4) ACTIONS IF A DEVICE EXPLODES

- a) Release the scene to fire personnel.
- b) Check the outside area for a secondary device which could be detonated.
- c) Contact command, activate the reserves, and contact the A.T.F. for assistance.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(IX) COMPLAINTS AND INTERNAL INVESTIGATIONS / LEVEL 2

1) PURPOSE.

- a) The purpose of this policy is to provide guidelines that recognize that effective law enforcement exists in a community which has established a proper relationship between the agency and public. This relationship must be based on mutual confidence and trust. Whenever the integrity of a law enforcement agency is in question, effective law enforcement breaks down.

2) COURSE AND SCOPE.

- a) Officers must act independently with the authority vested in them. The officer must be free to initiate action without fear of reprisal, but must meticulously observe the rights of all people.
- b) The responsibility rests with the Chief of Police to provide a system of disciplinary procedures which not only subjects personnel to corrective action when improper conduct occurs, but also protects them from unwarranted criticism or charges when duties have been properly performed.
- c) It is imperative that adequate provisions be made for prompt investigation and disposition of all complaints regarding the conduct of employees of the Laurel Police Department.

3) POLICY.

- a) It shall be the policy of the Laurel Police Department to accept and investigate all complaints of alleged misconduct on the part of any Laurel Police Department personnel in order to achieve the basic objectives of personnel investigation. The agency must:
 - 1. Be responsive to the public;
 - 2. Protect the integrity of the Laurel Police Department;
 - 3. Protect individuals against false accusations;
 - 4. Provide redress for undesirable conduct.

4) DEFINITIONS.

- a) "Personnel Complaint" — means all complaints involving personnel of the

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Laurel Police Department that could be defined as an allegation of misconduct reported from any source. This misconduct could be criminal or non-criminal in nature.

- b) "Investigation Classifications" — are defined as:
 - 1. Unfounded - When the investigation indicates the alleged wrong doing did not occur;
 - 2. Exonerated - When the investigation indicates that the act occurred, but was justified, lawful and proper;
 - 3. Not Sustained - When the investigation discloses insufficient evidence to prove or disprove clearly the allegations made;
 - 4. Sustained - When the investigation discloses the action alleged, did in fact occur;
 - 5. Sustained with Qualifications - When the investigation discloses the action complained of did in fact occur, but not in the manner or to the degree stated;
 - 6. Misconduct Not Based Upon a Complaint - When the investigation of an allegation discloses misconduct that is not part of the original complaint.
- c) "Misconduct" — means a violation of any statute, ordinance, Department policy, rule, regulation, lawful order or rule of law.
- d) "Complaint Investigator" — means the officer or investigator appointed by the Chief of Police, in concert with the Administrative Assistant or Mayor, who will conduct the investigation into personnel complaints and or allegations of misconduct.

5) PROCEDURE FOR ACCEPTING COMPLAINTS.

- a) A complaint alleging misconduct by personnel of the Laurel Police Department may be made by requesting a complaint procedure form. This may be done in person at the Laurel Police Department or by phone and the complaint procedure form will then be mailed to the requester.
- b) Once the complaint procedure form is filled out and returned to the Laurel Police Department, it will be immediately submitted to the Chief of Police.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) When a member of the Laurel Police Department receives information of a complaint, or a person requests they be allowed to file a complaint, the person should be given the complaint procedure form and advised to return it to the Laurel Police Department, attention "Chief of Police". This may be returned to the police department in person or sent by mail.
- d) If the complainant is not capable of completing the complaint procedure form, the complainant will be instructed to contact the Chief of Police during normal business hours unless the nature of the complaint requires immediate notification of the Chief of Police.
- e) If it is impossible to obtain a written complaint from the complainant, the officer assigned to investigate the complaint, shall record or reduce to writing all information obtained. The officer shall state specific allegations and shall provide the best information available.
- f) When a complaint is registered against a supervisor, the Chief of Police may initiate and investigate the complaint, or may appoint another officer to conduct the investigation.

6) INVESTIGATION OF COMPLAINTS

- a) The officer or investigator appointed to investigate the complaint shall conduct an appropriate investigation, and forward the results to the Chief of Police.
- b) If the alleged misconduct amounts to a criminal law violation, the City Attorney or County Attorney's Office will be notified of all alleged or suspected criminal violations.
- c) Upon completion of any investigations, the completed report is to be provided to the Chief of Police along with all findings, and conclusions.

7) PERSONAL INVOLVEMENT WITH INVESTIGATION OF COMPLAINT.

- a) At no time, under any circumstances, shall an officer against whom a complaint has been registered, investigate the complaint.

8) DISPOSITION OF INVESTIGATED COMPLAINTS.

- a) All reasonable efforts shall be made to notify all complainants of the results of the investigation.
- b) A permanent record of each internal investigation will be kept by the Chief of Police.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) If the complainant is dissatisfied with the internal investigation, the Chief of Police in consultation with the Mayor may refer the investigation and findings to an appropriate outside agency for further review and any additional investigation deemed necessary in order to make reasonable assurances of non-bias to the public.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(X) CRIMINAL JUSTICE INFORMATION AND DISSEMINATION /LEVEL 1

1) POLICY

- a) The purpose of this policy is to provide guidelines to ensure the accuracy of criminal justice information and individual privacy in confidential and non confidential criminal justice information collection, storage, and dissemination.
- b) The Laurel Police Department will maintain, release and control criminal justice information in as prescribed by Montana Code Annotated Title 44 Chapter 5.

2) NEWS MEDIA RELATIONS

- a) The purpose of this policy is to provide guidelines regarding the establishing of effective means to convey information to the public through the use of television, radio, and newspapers, while minimizing the disruption of service to the public.
- b) Members of the Laurel Police Department shall be courteous and diplomatic in dealing with the news media.
- c) Members are authorized to release to the media information in the following categories:
 - 1. When they are the investigating officer
 - 2. When authorized by a command officer
- d) It is recommended that The Chief of Police or his designee consult with the City Attorney or County Attorney and appropriate incident advisors when preparing news releases on major cases, special events, catastrophes or other critical issues.

3) SPECIAL CONSIDERATIONS FOR MEDIA.

- a) All members of the Laurel Police Department shall extend reasonable courtesy to the news media representatives at the scenes of crimes or other crisis situations. With approval of the on-scene commander this may include:
 - 1. Closer access of personnel and equipment than would be available to the general public to the degree that it does not interfere with the scope and mission of the department or the investigation; or

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2. Closer access of personnel and equipment than available to the general public to the degree it does not create unnecessary risk of harm or unsafe circumstances or interfere with movement of traffic.
- b) Access shall be denied to all news media representatives at the scenes of a crime or other crisis situations when:
1. There is a risk of injury to the news media representative or any other person as a result of closer access being granted;
 2. The possibility is created that evidence could be damaged, altered, destroyed, or otherwise prejudiced by the broadcast or publication of its existence;
 3. Access is sought to enter upon, film, photograph or videotape upon the premises or property of a private person without the explicit consent of said person;
 4. Requests are made to pose or make special arrangements to photograph, film, videotape, audio record or interview suspects in custody;
 5. The incident or crisis situation includes hostages and/or other dangerous persons or obstacles.
 6. At the scene of significant accidents, man-made or natural catastrophes, the principals of news media cooperation shall be maintained to the degree that they do not interfere with the mission and scope of the emergency operations.
 7. Media access to move within fire lines shall be controlled by the fire service officer in-charge.
 8. The fire service commander and the Laurel Police Department on-scene commander will establish an observation point from which the news media may observe, photograph, videotape or broadcast the events of the incident.

4) COMMUNICATION CENTERS AND DISPATCHERS

- a) The following guidelines will be adhered to when answering telephone inquires from the news media regarding in progress calls:
1. If the incident involves a police matter, refer the call to a

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Supervising Officer, if possible;

2. If the incident involves the fire department, refer the call to the fire department public information officer, if possible;
- b) In the absence of those above, the on-duty dispatcher may release the following information, if known:
1. Either confirm or deny that the incident occurred or is occurring;
 2. When and where the incident occurred or is occurring;
 3. Define the type of call to the media;
 4. Provide the call type, i.e., fire, burglary, robbery, etc;
 5. The name of the ranking police or fire official at the scene;
 6. Name of the Supervising Officer or Fire Chief on duty.
- c) If additional information is requested, the media will be referred to the Supervising Officer or fire department commander.
- d) It is understood that on some occasions the dispatchers are too busy to give the requested information. If this occurs, the caller should be advised of the problem and told to call at a later time.

5) INFORMATION RELEASED TO THE PRESS OR PUBLIC

- a) Members of the Laurel Police Department shall be courteous and diplomatic in dealing with the news media.
- b) The Chief of Police or his designee will approve, coordinate, and or release information concerning confidential Laurel Police Department investigations, operations and crisis situations.
- c) Members are authorized to release to the media information in the following categories:
 1. When they are the investigating officer
 2. When authorized by a command officer
- d) Only "Public criminal justice information as described in (M.C.A. 44-5-103) may be released to the public or press. The following information is

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

considered to be releasable to the press under the following stipulations.

1. It is permissible to release the following information following an arrest or issuance of an arrest warrant:

The charges against the accused and a synopsis from the initial incident report.

Information from the initial offense report such as such as date, time, and place of arrest, whether the arrest was with or without incident, the initial charges and whether weapons or other contraband was seized.

The names of the officers who initiated the arrest may be released to the press unless the arrest was made by an officer whose primary assignment included covert operation.

The amount of bond, the scheduled court appearance and location of incarceration.

2. It is permissible to release the following information following the reporting of crime but no arrest:

Information from the initial offense report such as the date, time and offense location. When giving the location of the incident, unless specifically requested by the press for the actual address, give the address as a general address. I.E., "The 200 block of West 1st Street."

A synopsis from the initial incident report, along with the name of the investigating officer (s).

Only the sex and age (not date of birth) of the victim is to be released to the press, unless specifically authorized by the County or City Attorney.

6) INFORMATION NOT TO BE RELEASED TO THE PRESS OR PUBLIC

- a) Members of the Laurel Police Department should not release for publication, or in a manner likely to result in publication, any of the following, except when released as part of a record open to public inspection.
 1. Information that may jeopardize the successful conclusion of an

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- investigation, such as drug information or information classified as “suspicious” (address to crime scenes may be restricted for this reason);
2. The identity of any suspect prior to arrest or the results of any investigative procedures except to the extent necessary to aid the investigation, to assist in the apprehension of the suspect, or to warn the public of danger,
 3. Any opinion as to the guilt or innocence of the accused or as to the merits of the case or evidence of the case;
 4. Prior arrest record, statements, or information regarding the character or reputation of the accused;
 5. The existence or contents of admissions or confessions made by individuals, or the refusal or failure of the accused to make any statement;
 6. The performance of any examination or test or the refusal or failure of the accused to submit to an examination or test;
 7. The identity, testimony or credibility of any prospective witness or complainant;
 8. The possibility of a plea of guilty to the offense charged or to a lesser offense;
 9. The construction, content and mechanism of any explosive or incendiary device;
 10. Photographs, unless specifically authorized by the Laurel City Attorney or the Yellowstone County Attorney.
 11. Information furnished by members of the department to promote publicity for them; and Evidence that may inhibit prosecution of the case.
- b) Following arrest or the filing of formal charges, but prior to adjudication, the following types of information shall not be released:
1. Prior criminal history of the defendant, victim or witnesses;
 2. Prior record of character or reputation of the defendant, victim or witnesses;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

3. Identity, statements, or expected testimony of the defendant, victim or witnesses;
 4. Any opinion about the guilt or innocence of the defendant or merits of the case;
 5. Any opinion, knowledge, or criticism in regards to plea-bargains, negotiations with counsel or other pre-trial activity.
- c) Press reports should not contain:
1. Driver's license numbers;
 2. Social Security numbers;
 3. Medical records, including but not limited to, mental health records and records relating to drug and alcohol addiction or treatment; and any information directly or indirectly identifying the victim of the following offenses:

-Sexual Assault, Montana Code Annotated § 45-5-502; Sexual Intercourse Without Consent, Montana Code Annotated § 45-5-503, MCA; Indecent Exposure, .Montana Code Annotated § 45-5-504; and Incest, Montana Code Annotated § 45-5-507.

-Unless regarding disclosure of the location of the crime scene is required by law, is necessary for law enforcement purposes, or is authorized by a District Court upon a showing of good cause. With respect to the victim of any offense who requests confidentiality; any information that may directly or indirectly disclose the address, telephone number, or place of employment of the victim or a member of the victim's family unless disclosure is of the crime scene, is required by law, or is authorized by a District Court upon a showing of good cause.

7) INDIVIDUAL REQUEST TO INSPECT CRIMINAL HISTORY RECORDS.

- a) Pursuant to "Inspection or Transfer of Criminal History Records", Montana Code Annotated § 44-5-214, the Laurel Police Department may release an individual's criminal history information to that individual or their agent. Individuals requesting criminal justice information must be properly identified. If an individual's criminal history record information is maintained in the state repository, copies of the records shall be

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

transferred to the local agency. Printed CJIN/NCIC information will not be released to the public.

- b) The criminal history of an individual may be released with a signed waiver authorizing the release of the history. For the release of juvenile criminal history, the waiver must specifically state permission to access and release a juvenile criminal history.
- c) An individual may contest the accuracy or completeness, or both, of the information about themselves.

8) DISSEMINATION OF CONFIDENTIAL CRIMINAL JUSTICE INFORMATION.

- a) The dissemination of confidential criminal justice information will be in accordance with Montana Code Annotated Title 44 Chapter 5.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XI) CRITICAL INCIDENT STRESS MANAGEMENT

1) POLICY

- a) The Laurel Police Department will take reasonably necessary measures to provide resources intended to protect the mental health of all Laurel Police Department members who are exposed to critical incidents.

2) DEFINITIONS

- a) "Laurel Police Department Member" means any employee of law enforcement or Communications officer of the Laurel Police Department.
- b) "Critical Incident" means an occurrence that is stressful or traumatic or one with the potential to overwhelm an employee and interfere with the member's ability to function or cause detrimental moral, ethical, emotional and/or psychological effects.
- b) "Critical Incident Stress Management (CISM) Session" could include but is not limited to on-scene debriefing, initial diffusing, formal debriefing, follow-up debriefing and individual consultation. A CISM session is not an operational critique.
- c) "Debriefing" means a private meeting between individual(s) involved in a critical incident and members of a Critical Incident Stress Management team to allow individual(s) a chance to express their emotional reactions regarding the incident and to make them aware of appropriate stress management techniques.
- b) "Critical Incident Stress Management (CISM) Team" means a support group trained to assist Agency members who have been involved in a critical incident.
- c) "CISM Team Member" means a designated person who has been trained in critical incident stress management.

3) PROCEDURE

- a) Laurel Police Department members upon hire and periodically thereafter should receive orientation on self recognition of signs and symptoms of stress and common strategies for managing stress.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

4) RESOURCES

- a) In addition to an orientation the Laurel Police Department should provide Laurel Police Department members with available resources for dealing with job stress which may include but not limited to:
 - 1. Employee Assistance Program (EAP)
 - 2. Professional services
 - 3. Chaplaincy program
 - 4. CISM (individual and/or family)
 - 5. Pre/post CISM training (individual and/or family)
 - 6. Peer support
- b) The Montana CISM Network may be contacted through Disaster and Emergency Services duty phone at (406) 841-3911.

5) RECOGNITION

- a) All Laurel Police Department members are responsible for identifying and recognizing critical incidents that may require assistance. Anyone can request available resources or recommend a referral to the Chief of Police for further psychological counseling. The Chief of Police or designee will determine the resources needed to provide assistance to the Laurel Police Department member(s).

6) CRITICAL INCIDENT STRESS MANAGEMENT SESSIONS

- a) The Chief of Police or designee is responsible to schedule or have scheduled a CISM session if requested. Agencies in need of a CISM team may contact the Montana CISM Network.

7) CONFIDENTIALITY

- a) In order to have a free and open discussion of the feelings of those involved in a Critical Incident Stress Management Session, those individuals participating in a CISM Session should be informed of their right to keep the discussions private. Individuals have a clear and distinct right of privacy in participating in the session, and the involved individual

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

has an absolute right to invoke their right to privacy to protect the discussions occurring during a session.

8) OTHER PROFESSIONAL SERVICES

- a) If, after the CISM session, a Laurel Police Department member feels the need for further counseling, or a CISM team member recommends further counseling, the Administrator or designee will provide an offer of assistance to the Laurel Police Department member. The Chief of Police or designee may recommend a licensed professional counselor or psychologist. All expenses associated with the offer of assistance will be paid by the Laurel Police Department. The employee will be provided Administrative leave with pay to attend sessions with a counselor or psychologist.

9) FITNESS FOR DUTY DETERMINATION

- a) The Chief of Police or designee may require a "fitness for duty" evaluation of the Laurel Police Department member(s) to determine if the member is free from any mental condition that might adversely affect performance of the member's duties.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XII) CUSTODY AND DISPOSITION OF PROPERTY / LEVEL 1

1) COLLECTION OF EVIDENCE

- a) Evidence or contraband lawfully seized with or without a warrant may be retained in the custody of the officer making the seizure for a time sufficient to complete an investigation.
- b) All evidence collected will be documented in the collecting officer's report. All evidence collected should be packaged and sealed with evidence tape. The evidence tape should be initialed and dated by the collecting officer then a department approved evidence tag securely attached. Any evidence too large to be packaged will have the evidence tag securely attached to the item. All evidence will then be turned in to the evidence custodian, per Laurel Police Department procedures.

2) EVIDENCE ROOM STANDARDS

- a) The evidence room standards will be as close as practical to the "International Association for Property and Evidence" property room standards.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XIII) DAILY DUTIES OFFICER SHIFTS: INFORMATION AND GUIDELINES LEVEL 1

1) DAY SHIFT

- a) Read incident reports, teletypes, and information board. Check individual officer files for messages or case follow-up requests.
- b) Check condition of the patrol vehicle to ensure safe operating condition. If service is required, refer vehicle for service.
- c) During school months, patrol school zone areas. Officers should pay special attention to school speed zones especially when children are coming to and from school and during the lunch times.
- d) Answer service calls, perform preventative patrol, and enforce traffic regulations.
- e) Perform investigative duties and case follow-up as needed.
- d) Perform security checks and area checks as required.
- e) All other duties that maybe assigned.

2) AFTERNOON SHIFT

- a) Read incident reports, teletypes, and information board. Check individual officer's file for messages and case follow-up requests.
- b) Check condition of the patrol vehicle to ensure safe operating condition. If service is required, refer vehicle for service
- c) During school months work traffic at school closing in school zones and area surrounding the schools.
- d) Answer service calls, perform preventative patrol, and enforce traffic regulations.
- e) Perform security checks as required.
- f) Perform investigative duties and case follow-up as needed.
- g) All other duties that may be assigned.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

3) NIGHT SHIFT

- a) Read incident reports, teletypes, and information board. Check individual officer's file for messages or case follow-up requests.
- b) Check condition of the patrol vehicle to ensure safe operating condition. If service is required refer vehicle for service.
- c) Work Traffic and be visible around any area that there have been problems in the community. Check businesses thoroughly, and vary patrol routine so as to not establish a pattern.
- d) Answer service calls
- f) Perform any follow-up that requires being done during the night shift time period.
- g) Extensive residential and business patrol.
- h) All other duties that may be required.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XIV) DISCIPLINE

1) PURPOSE

- a) The purpose of this section is to set a standard for the maximum amount of discipline for violation of the Laurel Police Department policies. If there is a conflict of discipline between the Laurel Police Department policy manual and the union contract then the union contract will take precedence.

2) LEVEL OF OFFENSES

- a) Level 1 Offense:
 - 1. 1st occurrence = 1 year letter in personnel file
 - 2. 2nd occurrence = 2 year letter in personnel file
 - 3. 3rd or subsequent occurrence = 80 hrs suspended without pay
- b) Three violations of any level 1 offense within any twelve month period and the employee may be dismissed.
- c) A yearly (1 year or 2 year) letter is a letter that will be put in the personnel file. The 1 or 2 year letter will show in the employee's yearly evaluation for either one or two years after the date of offense or the date of being found "sustained" through the grievance process, whichever is later.
- d) If an employee goes three years from the date of the last level 1 offense, the next level 1 offense will be treated as a 1st occurrence.
- e) Level 2 Offense
 - 1. 1st occurrence = 80 hrs suspended without pay
 - 2. 2nd occurrence = Dismissal
- f) Level 3 Offense
 - 1. 1st occurrence = Dismissal

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- g) Next to the section title (identified by a roman numeral), will be the offense level for that section and will apply to the entire section; unless a subsection (identified with number or a lower case letter) has a different offense level or penalty listed.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XV) DISPATCH POLICIES/ LEVEL 1

1) PREAMBLE

Because the Communications Center provides service for fire, ambulance, and police; and work at the direction of their policies and procedures, it is impossible to cover all situations/circumstances in any given manual. Much of the success of the 9-1-1 Center depends on the discretion and common sense of the operators and dispatchers. The following guidelines have been developed to assist employees to handle some of the most common situations. The Laurel Police Dispatch Policy Manual is a guide for the policies and procedures that a communications officer shall follow.

2) Basic information

- a) On all calls, as soon as practical, get the **basic information** which is: the caller's name (not the business name), address, telephone number they are calling from, and date of birth; along with a description of the incident, incident location, and information on the subjects involved. Then dispatch the appropriate entity i.e. fire, ambulance, police.

3) Calls that are in progress

- a) Keep callers on the line if it is safe and there is a chance the situation could escalate or the suspect is still in the area.
- b) If the suspect has left or the situation has calmed down and the caller feels comfortable disconnecting, advise the caller to call back if the situation changes.
- c) Relay all pertinent information regarding suspect description, location, weapons, drinking and if the complainant wants contact from the officer.

4) Dress Code

- a) Employees must come to work clean, neat, well groomed and suitably dressed. Undergarments and shoes are required. However, undergarments should be fully covered including bra straps and waistbands of underwear. At no time should undergarments be visible through or below the outer garments. Slippers and pajama pants are not allowed.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) Bare midriff, low cut tops, see-through, and backless garments are not appropriate. Tops tied together by strings across the back or around the neck (such as the bandana or halter tied tops), spaghetti strap and tank top style shirts or tops are not acceptable as a style of dress. Shorts/skirts should not be shorter than three inches above the top of the knee cap.
 - c) The employer reserves the right to define what is excessive and to require the employee to change clothes.
- 5) Emergency Traffic
- a) Dispatchers have the authority to announce “Emergency Traffic” to clear the primary channel for a high risk incident.
- 6) Received “ATL”
- a) As soon as possible pass on the received information to the officers. Place the received teletype on the teletype board.
- 7) Traffic in the county
- a) With any injury accident, the information will be taken and an “agency assist” call will be started. Information will be taken and relayed to the Montana Highway Patrol. Laurel Ambulance and Laurel Fire Department will be dispatched as applicable.
 - b) With the exception of injury accidents, all traffic related incidents outside Laurel city limits will be referred to the Montana Highway Patrol. The caller will be given the number to The Montana Highway Patrol and instructed to report the incident directly to the Montana Highway Patrol. If for some reason the caller cannot make the phone call themselves, an “agency assist” call will be started. Information will be taken and relayed to the Montana Highway Patrol.
- 8) 911 Calls
- a) This incident type is assigned to “911 hang up” calls or abandoned 911 calls. If “E911” is not available, Trace all “911” hang up calls. When the information is received, dispatch an officer. If the caller information comes back as being outside the Laurel city limits, notify the applicable agency.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) On a 911 hang up, If contact is made upon call back, get the basic information, but don't tell the subject that an officer is being dispatched. If you reach an answering machine or voice mail, do not leave a message. Dispatch an officer.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XVI) ELECTRONIC CONTROL DEVICES / LEVEL 2

1) POLICY.

- a) Deployment of an Electronic Control Device constitutes a use of force, and officers should use the amount of force which is reasonable and necessary to make an arrest or gain control of a situation. An Electronic Control Device is not a substitute for deadly force if it increases or heightens the risk to the safety of officers or others.

2) TRAINING

- a) Only officers who have successfully completed a recognized training course may carry and or use an Electronic Control Device. To continue to use and carry an Electronic Control Device, ongoing training and familiarization with the deployment and application of an Electronic Control Device is required of every officer.

3) ISSUANCE OF AN ELECTRONIC CONTROL DEVICE

- a) Issuance of an Electronic Control Device - Officers may only carry and use a Laurel Police Department authorized Electronic Control Device.
- b) A record will be kept of all Electronic Control Devices, their serial numbers, and name of the officer authorized to carry the Electronic Control Device.
- c) A record of all Electronic Control Device cartridge serial numbers will be maintained by the Laurel Police Department.
- d) Alterations or Modifications - No changes, alterations, modifications or substitutions shall be made to the Electronic Control Device or the cartridges. All repairs to Electronic Control Devices or accessories shall be completed by a Laurel Police Department authorized armorer or vendor. Electronic Control Device repairs shall be documented and the record shall be maintained by the Laurel Police Department.

4) USE HISTORY.

- a) A use history of any Electronic Control Device will be downloaded using the data port access and appropriate software. A use history report will be maintained by the Laurel Police Department in accordance with record retention policies. Use history reports will be generated upon the occurrence of the following:

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

1. The use of any Electronic Control Device;
2. Claims of excessive force by Electronic Control Device application;
3. Hospitalization of the suspect following an Electronic Control Device application;
4. A death of a suspect following an Electronic Control Device application;
5. In the event the Electronic Control Device is repaired or is no longer utilized;
6. Semi-annually.

5) DAMAGED ELECTRONIC CONTROL DEVICE OR CARTRIDGE.

- a) Officers are responsible for reporting promptly upon learning that the Electronic Control Device and or cartridge are damaged or malfunction.
- b) The Electronic Control Device or cartridge should immediately be taken out of service.
- c) If available, another cartridge and or Electronic Control Device shall be issued to the officer.

6) INSPECTION AND TESTING PRIOR TO SHIFT.

- a) Officers carrying an Electronic Control Device shall inspect and test all devices and cartridges pursuant to manufacturers' recommendations.

7) ELEVATED RISK FACTORS.

- a) Officers should be cognizant of the incapacitating effects of an Electronic Control Device and as such the inherent elevation of certain risk factors which may include the following:
 1. Presence of flammable liquids/fumes or explosive environments;
 2. Elevated positions;
 3. Person operating moving vehicle or machinery;
 4. Person running (fleeing);

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

5. Pregnancy-concerns regarding falls;
6. Swimming pool or body of water;
7. Application to sensitive areas;
8. Repeated applications; or Children and/or Senior Citizens.

8) USE ON PERSONS IN RESTRAINTS OR IN CUSTODY.

- a) In instances where restraint devices deployed upon persons under arrest fail to adequately gain control of the person, an Electronic Control Device may be used when justified in accordance with the use of force policy.
- b) An Electronic Control Device may be used against combative, assaultive, and foreseeable violent persons in custody when justified in accordance with the Laurel Police Department use of force policy.

9) CARRYING AN ELECTRONIC CONTROL DEVICE.

- a) The Electronic Control Device holster will be one authorized by the Chief of Police. Prior to the deployment of an Electronic Control Device, the officers have the responsibility to reasonably visually and physically confirm that the tool selected is in fact an Electronic Control Device and not a firearm.

10) MEDICAL ATTENTION AFTER AN ELECTRONIC CONTROL DEVICE APPLICATION

- a) If upon an application of an Electronic Control Device, the suspect exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.
- b) If needed, reasonable and appropriate medical personnel shall be summoned to the scene to assess the suspect. If the assessment or other circumstances dictate the suspect needs further medical treatment, the suspect shall be transported by reasonable means to a suitable medical facility.
- c) Medical treatment will not be refused for anyone who requests it.
- d) If safety circumstances reasonably dictate moving the suspect to another location, officers may arrange to have emergency medical personnel meet the officers and the suspect at another location to assess the suspect and

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

render care.

11) PROBE REMOVAL,

- a) If a subject who has a probe embedded in their body, requests that the probe be removed by medical personnel, then the officers shall arrange for medical personnel to remove the probes.
- b) Medical personnel shall remove probes located in sensitive areas such as the face, neck, groin or female's breasts.
- c) Removal of probes in non-sensitive area may be done by officers. Officers, or other trained personnel, will provide first-aid following removal of the probes.
- d) Officers should inspect the probes after removal to see that the entire probe and probe barb has been removed. In the event that a probe barb has broken off and is still embedded in a subject's skin, the subject shall be provided appropriate medical attention to facilitate the removal of the object.

12) PHOTOGRAPHS.

- a) When permitted to do so by the subject, photographs should be taken of probe impact sites and any other related injuries as soon as reasonable to do so.

13) HANDLING OF PROBES AND EXPENDED CARTRIDGES.

- a) Probes that have been deployed and strike the subject will be treated as biohazard sharps. They may be placed point down into the expended cartridge bores and secured.
- b) When the circumstances require, the yellow, pink, and clear microdots, known as "Afids" will be collected and with the probes and expended cartridge shall be maintained as evidence appropriately secured and marked as biohazard.

14) DETENTION NOTIFICATION OF APPLICATION.

- a) Detention personnel shall be informed by the transporting officer that the subject was controlled by the use of an Electronic Control Device.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

15) USE OF AN ELECTRONIC CONTROL DEVICE ON ANIMALS.

- a) An Electronic Control Device may be deployed on an animal when the animal is:
 - 1. Threatening or is attacking a person, including officers, or another animal;
 - 2. If the animal needs to be controlled for the reason of public peace and safety, preservation of property or other legitimate purpose;
 - 3. The animal poses an active threat to officers in their efforts to perform their duty.

16) ACCIDENTAL CARTRIDGE DISCHARGE.

- a) In the event of an accidental Electronic Control Device cartridge discharge, the officers shall promptly notify their immediate supervisor.

17) PROHIBITED USES.

- a) An Electronic Control Device shall not be used:
 - 1. Punitively;
 - 2. In touch-stun mode as a prod or escort device;
 - 3. To rouse unconscious, impaired or intoxicated individuals;
 - 4. For horseplay or clowning around or in an unprofessional manner;
 - 5. To experiment on a person or allow a person to experience the effects unless authorized by the Laurel Police Department through training or demonstrations.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XVII) EMERGENCY VEHICLE OPERATION / LEVEL 1

1) POLICY

- a) The policy of the Laurel Police Department is to direct members to use reasonable judgment and prudent conduct with due regard for their safety and the safety of all Persons and property while engaged in emergency vehicle operations.

2) EMERGENCY VEHICLE OPERATIONS

- a) Montana Code Annotated, 61-8-107, defines the circumstances and conditions to which a law enforcement officer operating a law enforcement vehicle can engage in emergency vehicle operations and or pursuit situations.
- b) The exemptions granted to a police vehicle or authorized emergency vehicle apply only when the vehicle is making use of an audible or visual signal, or both, meeting the requirements of Montana Code Annotated, 61-9-402.
- c) The foregoing provisions shall not relieve the driver of a police vehicle or authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from consequences of their reckless disregard for the safety of others.
- d) Officers should continually reassess all factors and conditions during all emergency vehicle operations. Officers must have a direct influence in choosing the preferred emergency response in direct relation to the event or circumstance that is being confronted all the while being constantly mindful of the risks to self and the public.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XVIII) FIELD TRAINING

- 1) SWORN OFFICER FIELD TRAINING
 - a) Sworn officers of the Laurel Police Department will have a minimum of 500 hours of training before being allowed to patrol on their own with limited supervision.
 1. In cases of extreme emergency, the Chief of Police may temporarily waive the 500 hour requirement.
 - b) New officers will be trained, at a minimum, by two field trainers. The field trainers will supervise and train the new officer consecutively and will evaluate and train the new officers using a department approved training system.
 - c) New officers will complete and have signed off a department approved training packet. The packet will contain a list of items and events the new officer is to be trained on. If the new officer fails to complete the packet, the field training may be continued, based on the recommendation of the field training officers and the decision of the Chief of Police or his/her designee.
 - d) The final phase field trainer will submit a letter to the Chief of Police, recommending the new officer be allowed to full duty status. If the new officer fails to receive the recommendation of field trainer, field training may be continued, based on the recommendation of the field trainers and the decision of the Chief of Police or his/her designee.
 - f) Field trainers will document each day of training. This documentation will include, but not limited to, the new officer's appearance, attitude, knowledge, and performance. The field trainers will also document any remedial training given and any problems that occurred during the training.
 - g) Field trainers will submit a written report to the Chief of Police or his/her designee if the new officer isn't responding to training. The field trainer will document all of the issues that warrant the report along with a recommendation to either continue a specific type of training or to release the new officer from employment.
 - h) Field training for officers may be conducted before attending the Montana Police Academy, after attending the Montana Police Academy, or both.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2) NON-SWORN EMPLOYEE

- a) Non-sworn employees of the Laurel Police Department will have a minimum of 200 hours of training before being allowed to work on their own with limited supervision.
- b) Non-sworn employees will be trained, at a minimum, by two trainers. The trainers will supervise and train the new employee consecutively and will evaluate and train the new employee using a department approved training system.
- c) New employees will complete and have signed off a department approved training packet. The packet will contain a list of items and events the new employee is to be trained on. If the new employee fails to complete the packet, the training may be continued, based on recommendation of the field trainers and the decision of the Chief of Police or his/her designee.
- d) The final phase trainer will submit a letter to the Chief of Police, recommending the new employee be allowed to full duty status. If the new employee fails to receive the recommendation of the trainer, training may be continued, based on the recommendation of the field trainers and the decision of the Chief of Police or his/her designee.
- f) Trainers will document each day of training. This documentation will include, but not limited to, the new employee's appearance, attitude, knowledge, and performance. The field trainers will also document any remedial training given and any problems that occurred during the training.
- g) Field trainers will submit a written report to the Chief of Police or his/her designee if the new employee isn't responding to training. The field trainer will document all of the issues that warrant the report along with a recommendation to either continue a specific type of training or to release the new employee from employment.
- h) Field training for may be conducted before attending the Montana Academy, after attending the Montana Academy, or both.

3) POLICE RESERVE OFFICERS

- a) Training for Laurel Police Reserve Officers is detailed in the LPD Reserve Policy Manual.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XIX) FIREARM POLICY AND OTHER WEAPONS / LEVEL 2

1) ON DUTY FIREARMS

- a) Each officer will carry, be armed with, and use only approved firearms while on duty.
- b) The approved firearms will be those issued or authorized by the Laurel Police Department and any personally owned secondary weapon, approved of by the Chief of Police.
- c) All handgun firearms and magazines carried on duty will be carried fully loaded. If the firearm is a semi-automatic, the weapon will be carried with a round in the chamber.

2) OFF DUTY FIREARMS

- a) Off duty officers are not required to carry a firearm.
- b) Any off duty firearm will be issued by, or approved of by the Chief of Police.
- c) No officer of the Laurel Police Department will violate M.C.A. 45-8-327, "Carrying concealed weapon while under the influence."

3) SECONDARY/ BACK UP FIREARMS

- a) Officers will be permitted to carry a backup firearm in addition to their service weapon. This weapon may be used by an officer as force likely to cause death when their duty firearm has been rendered unavailable or unserviceable.
- b) Officers must demonstrate proficiency with all off duty and back up firearms by qualifying with them during Laurel Police Department qualification shoots. The make, model, serial number, and caliber must be on file with the department.

4) INSPECTION OF FIREARMS / LEVEL 1

- a) All approved firearms will be subject to inspection at any time by Command officers and firearm instructors.
- b) All firearms will be kept clean and in good working order.
- c) All weapons will be of manufacturer specifications. No modifications will

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

be allowed unless done by a qualified and certified gunsmith or armorer. All modifications must be authorized by The Chief of Police.

- d) Any disassembly of any approved firearm beyond the authorized "User Level" stripping by anyone other than an approved armorer or gunsmith is prohibited.
- e) All approved firearms will be registered with the police department by make, model, caliber, and serial number
- f) No firearm will pass inspection which does not comply with the regulations set forth by this policy.

5) AMMUNITION / LEVEL 2

- a) Officers will carry and use only that ammunition supplied/authorized by the department for all firearms carried on duty.
- b) Any ammunition for back up firearms must be approved and authorized by the department, but supplied at the expense of the officer if other than .40 caliber.
- c) Off duty ammunition will be of a similar type as issued by the department.

(6) FIREARMS TRAINING / LEVEL 1

- a) All firearms training will be coordinated through the police department firearms instructors, and conducted by instructors certified by the Montana Law Enforcement Academy.
- b) Firearms training will be provided to all employees authorized to carry a firearm.
- c) Firearms qualifications will include the on duty firearm, any back up firearm, shotguns, and patrol rifles.
- d) It is recommended that there be at least four (4) firearm training courses conducted by the department each year. There should be at least one (1) training course per quarter. The quarters will be broken down as follow: 1st Quarter-January to March, 2nd Quarter—April to June, 3rd Quarter-July to September, 4th Quarter-October to December.
- e) Laurel Police Department officers will qualify each calendar year on all firearms authorized to be used on or off duty.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(7) FIREARMS QUALIFICATION

- a) Before an officer is authorized to carry and use an approved firearm, the officer will qualify within the requirements of a firearm course authorized by a departmental firearms instructor who is capable of testing the officer's skills with a firearm and requiring a minimum qualification score.

8) FAILURE TO MEET QUALIFICATION STANDARDS

- a) In the event that an officer fails to meet department qualification standards, that officer shall be evaluated by the firearms instructor. The instructor will determine which of the following is required:
 - 1. Fundamental Training
 - 2. Additional Training
 - 3. Requalification course as prescribed by the department.
- b) If within a ten (10) day period, the officer has failed to meet requirements as prescribed, disciplinary action may be taken by the Chief of Police.

9) CARE IN HANDLING FIREARMS

- a) Officers will exercise maximum care and safety in handling, discharging, wearing, and storing of firearms for which they are responsible.
- b) Anytime an officer is authorized to remove his/her firearm while on duty, when available, the officer will place the weapon in a locked storage compartment provided for that purpose.
- c) Any contest or any other dangerous unauthorized firearm practices are prohibited.
- d) The accidental discharge of a firearm reflects on an officer's duties with the department and is considered unprofessional. Due to the potential disastrous results of this action, an inquiry will be conducted. Disciplinary action will result unless extenuating circumstances are present. In the event of an accidental discharge the officer involved shall immediately submit written reports concerning the incident to the Chief of Police.

10) DRAWING A FIREARM

- a) Firearms will not be removed from their holster except as may be required

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

by proper performance of the officer's duty, for inspection, training, or to remove the firearm for storage or safekeeping.

- b) Firearms will never be aimed at any person, animal, building, or other object except as necessary in the proper performance of duty.
- c) With firearms of any type, the officer's trigger finger will remain outside the trigger, including moving with the drawn firearm, scanning or searching an area, physically subduing, controlling, escorting, searching, or any other time except:
 - 1. When the decision to fire has been made to fire.
 - 2. When firing is actually in progress.

11) REPORTING OF FIREARM DISCHARGES

- a) Whenever an officer discharges a firearm, other than for training and inspection, he will notify his immediate commanding officer, and will submit a detailed written report as soon as possible to that commanding officer.
- b) The report of the discharge of a firearm will be forwarded through the chain of command, to the Chief of Police.
- c) Essential information required in this report will include but is not limited to:
 - 1. Name and badge number of officer who discharged the firearm.
 - 2. Date, time, and location of the occurrence.
 - 3. Names, addresses, and phone numbers of witnesses.
 - 4. Names of other officers present.
 - 5. Description of firearm and ammunition used.
 - 6. Number and direction of all shots fired, known results of the firearm discharge.
 - 7. Justification for drawing and discharging the weapon
 - 8. Thoroughly describe the circumstances, action of persons involved, and other pertinent information in narrative form.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

9. All reports will describe the circumstances as thoroughly and accurately as the officer's knowledge of the facts permit.

12) LESS LETHAL WEAPONS

- a) All on duty officers of the Laurel Police Department will carry on their persons at least one "less lethal" weapon. The weapon will be department approved and the officer may not carry it until certified to carry the weapon.

13) PATROL RIFLE

- a) The purpose of this policy is to establish departmental guidelines for the acquisition and deployment of the patrol rifle.
- b) The authorized patrol rifle may be provided by the police department or individually officer owned.
- c) All authorized patrol rifles must meet the following specifications. The Chief of Police or his designee shall approve any variation in type or caliber of the patrol rifle.
 1. The primary patrol rifle shall be the department issued patrol rifle.
 2. If an officer wishes to purchase and use their own personal patrol rifle, it must be a department approved "AR-15" style weapon. The weapon must be a standardized, factory built weapon; not built from parts of different manufacturers. The rifle will have matching serial numbers.
 3. The trigger pull for the rifle will be no less than 6 lbs.
 4. Chambered for 5.56 mm caliber rifle ammunition.
 5. A barrel length of at least 16 inches.
 6. Semiautomatic only.
 7. Iron sights.
 8. The butt stock may be either fixed or collapsible.
 9. Magazines are to be 20 round magazines, loaded with 18 rounds; or 30 round magazines, loaded with 28 rounds.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

10. Ammunition shall be issued by the Laurel Police Department or of a type approved by the Chief of Police.
 11. Equipped with a sling system suitable for tactical deployment where the weapon may be retained "hands free" yet ready for immediate use.
- d) No modifications, other than the following list, will be permitted without prior approval of the Chief of Police or the Chief's designee. Requests for any other modifications must be submitted in writing through a firearms instructor with recommendations then being forwarded to the Chief of Police. The generally approved options are:
1. Front night sight
 2. Weapons light attachment with light
 3. Redi-Mag
 4. Vortex Flash Hider
 5. Ambidextrous safety
 6. Replacement pistol grip
 7. Extractor defender D-ring
- e) Supplemental Sighting System: Use of a supplemental sighting system must be approved by the Chief of Police or the Chief's designee. The device must be suitable for tactical, close-quarter engagement and allow immediate access to the iron sights should the system fail.
- f) Deployment Policy
1. Patrol rifle will be deployed consistent with the Departmental Use-of-Force Policy.
 2. Officers deploying the patrol rifle will maintain control of the firearm at all times or ensure that the weapon is secured by another police
- g) Training and Qualification
1. Officers must complete a department approved patrol rifle training course.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2. Officers must successfully complete the annual departmental training and qualification course of fire to remain eligible for field deployment of the patrol rifle.
 - h) The weapon must be safely secured in the vehicle rack or stored in the trunk of the vehicle.
 - i) If an officer's personal rifle must be seized and secured as evidence, the department will issue the officer a department rifle.
 - j) The Laurel Police Department is not responsible for any maintenance or repair to an officer's personal weapon.
 - k) The Laurel Police Department is not responsible for an officer's personal weapons if they are held for evidence, regardless of the length of time the weapon must be in evidence.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XX) GENERAL ARREST AND CUSTODY / LEVEL 1

1) PURPOSE

The purpose is to provide guidance to officers in making arrests and taking persons into custody in a fashion that provides a reasonable level of safety and security for the officer(s), suspect and the public. All arrests will be in accordance with Montana Codes Annotated 46-6- parts 1-6.

2) ARREST PRECAUTIONS

- a) Officers should take reasonable precautions when effecting an arrest in order to minimize risk of injury to self or others. These precautions could include:
 - 1. Summoning additional assistance
 - 2. Searching and seizing weapons found upon or within the immediate area of the perpetrator
 - 3. Making an assessment of the location of arrest for relevant hazards
 - 4. Utilizing appropriate restraint devices

3) ALTERNATIVES TO CUSTODIAL ARREST

- a) The decision to make a custodial arrest (placing a subject in jail) should be carefully considered and acceptable alternatives utilized when appropriate. The use of a Notice to Appear or a Summons rather than a custodial arrest is the preferred course of action in cases involving most misdemeanor violations. Exceptions to this alternative course of action arise when there is a factual basis for the conclusion that the offender:
 - 1. May abscond from the State of Montana;
 - 2. Has a history of non-appearance;
 - 3. Is likely to re-offend or continue to engage in criminal conduct;
 - 4. May be a danger to the safety or welfare of themselves or others

4) USE OF BAIL SCHEDULE

- a) An officer of the Laurel Police Department may accept bail in accordance with M.C.A. 46-9-302. Bond amounts will be determined by using the

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Montana Supreme Court Bond Schedule.

5) POST-ARREST CONSIDERATIONS

- a) Before interrogating a person who is in custody, an officer shall inform the person of their Miranda warning in accordance with M.C.A. 46-6-107. Officers should read from a written Miranda waiver card when advising someone of their rights. The officer should memorialize the reading and any subsequent waiver of the Miranda warning in writing; or by using an audio recording or video recording.

6) DETAINED FOREIGN NATIONALS

- a) When foreign nationals are arrested or detained the United States Department of Homeland Security should be notified and the foreign national's must be advised of the right to have their consular officials notified, In some cases the nearest consular officials must be notified of the arrest or detention of the foreign national regardless of the national's wishes. Consular officials are entitled access to their nationals in detention and are entitled to provide consular assistance. When a foreign national is arrested or detained, an officer must:
 1. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel documents the foreign national travels.
 2. Determine if the foreign national's country is on the list of mandatory or optional notification countries as determined at - <http://travel.state.gov/lawiunder> the heading of "Consular Notification and Access".
 3. If the foreign national's country is not on the mandatory notification list, offer without delay to notify the foreign national's consular officials of the arrest or detention.
 4. If the foreign national asks that the consular notification be given, notify the nearest consular officials of the foreign national's country without delay.
 5. If the foreign national's country is on the list of mandatory notification countries, notify the foreign national's consular officials without delay of the arrest or detention and tell the foreign national that you are making the notification.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

6. If a person claims diplomatic immunity, the officer should include this information in the notification to the United State Department of Homeland Security and the foreign national's consular officials.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXI) GENERAL CONDUCT / LEVEL 1

1) PURPOSE AND INTENT

- a) It shall be the purpose of this policy to define the guidelines of professional conduct for members of this department regardless of rank and/or position.
- b) The intent of this policy is to institute procedural guidelines regarding rules and regulations to enhance professional conduct within the membership of the Laurel Police Department

2) GENERAL RULES OF CONDUCT

- a) **LEVEL 2** / No member, sworn or unsworn, of this department shall act or behave whether privately or officially in such a manner as to bring discredit upon themselves or the Laurel Police Department; including but not limited to the following:
 1. No member of this department shall willfully violate any federal, state, or local law.
 2. If any member is required to engage in any conduct which could be considered immoral or unlawful in the discharge of their duties, it shall be immediately reported in writing to the Chief of Police.
- b) **LEVEL 2** / While on duty, no member of The Laurel Police Department will engage in conduct that discredits the image of The Laurel Police Department such as, but not limited to:
 1. Looking at pornographic web sites or materials, other than in the course of official duties.
 2. Having sexual intercourse or sexual contact.
 3. Sleeping while on duty.
 4. Participating in any form of gambling or game of amusement either within the law enforcement facility or anywhere that such activity is subject to public exposure.
- c) Every member shall conform to the policies and procedures of the Laurel Police Department and the City of Laurel.
- d) No member shall openly criticize directives, policies, procedures, orders,

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

or instructions of a supervisor other than by proper means within the grievance procedure.

- e) No Supervisory Staff member shall openly criticize the actions of a subordinate other than in the course of normal disciplinary action and/or by proper means within the grievance procedures.
- f) All members of the Laurel Police Department will conduct themselves in such a manner as to foster reasonable professional cooperation within this department and between other law enforcement agencies.
- g) No member of the Laurel Police Department, while in a patrol car, will do anything that distracts them, endangering themselves by not being aware of their surroundings. This will include but not be limited to:
 - 1. Scanning the internet or using a cell phone or computer for an unnecessary purpose.
 - 2. Playing video games, watching television or watching pre recorded material.
 - 3. Reading books, periodicals, magazines or newspapers.
- h) No member will un-necessarily loiter in any dwelling, theater, or other business while on duty.
- i) Members of the Laurel Police Department should restrict their use of chew tobacco and cigarettes when in the view of the public except while patrons in restaurants.
 - 1. No one will smoke in the building of the Laurel Police Department.
 - 2. Communications Officers must notify an officer to come to the Communication Center while a break is taken.
- j) No member of this department shall contract any debt for liability which they are unable or unwilling to pay. Nor shall they neglect or refuse to discharge honorably and promptly all indebtedness claims and judgments, and satisfy all executions that may be held under false or fraudulent pretenses.
- k) Members of the Laurel Police Department shall give their title, first and last name and badge number in a respectful manner to any person who

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

may ask them to identify themselves.

- l) **LEVEL 2** / No member shall convert to their own use or have any claim on any found property, recovered property, or property held as evidence. A member shall promptly deliver all lost, stolen, abandoned, unclaimed, and seized property being held as evidence which comes into his possession into safekeeping after being properly tagged and invoiced.
- m) Employees of the Laurel Police Department will arrive for their scheduled shift on time and prepared for work. The employee will be rested and not sleep deprived.

3) USE OF INTOXICANTS / LEVEL 2

- a) Intoxicants shall be defined as any substance, which when taken into the body, diminishes a persons ability to properly perform normal tasks. This shall include but is not limited to alcohol and narcotic drugs.
- b) No member of the Laurel Police Department shall use any intoxicants while in uniform or while on duty.
- c) No member shall use or dispense any illegal drug while on or off duty. This includes but is not limited to the use of, or dispensing of, controlled substances or scheduled drugs without a proper prescription. No member shall take any prescription drug that isn't in accordance with the prescription given to the employee.
- d) The odor of an alcoholic beverage on the breath of a member while on duty, shall be deemed sufficient evidence that he is unfit for duty. It shall be the responsibility of any member suspected of such alcohol usage to submit to a test to determine presence or absence of alcohol. It shall be the responsibility of any member who has reason to suspect alcohol usage of an on duty member to notify the Chief of Police of such condition.
- e) Members of the Laurel Police Department who were off duty and not receiving "on call" pay, may respond to assist in a particular incident if the member has a breath alcohol concentration of .04 or less. Permission to respond under this condition must be given by a command officer.
- e) Members of the Laurel Police Department are subject to random urinalysis.

4) FAIR AND IMPARTIAL TREATMENT

- a) No member shall intentionally provoke or antagonize any person whom

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

they have contact.

- b) Every member of the Laurel Police Department shall treat all persons with whom they have contact in a respectful, courteous, and civil manner.
- c) When an officer is involved in an enforcement action, he shall proceed in a courteous, fair, firm, impartial, and professional manner.
- d) No member shall display an officious or overbearing attitude and shall not use any language to belittle, ridicule, or embarrass any person.
- e) All officers shall only detain persons for the minimum amount of time necessary to perform their official duty.
- f) No officer of the Laurel Police Department shall cause any person or animal to undergo cruel or unusual treatment.
- g) No member shall negotiate or arrange, whether out of friendship or for any other reason, the escape or penalty of law for any person.

5) ACCEPTANCE OF GRATUITIES

- a) Gratuities shall be described as any item(s) or service which is given voluntarily beyond obligation, which would not be made available to another individual under the same or similar circumstances. Any gift, favor, or service which could be intended to influence the judgment of any member, either immediately or in the future, shall be considered a gratuity.
- b) No member of the Laurel Police Department shall solicit any reward in the course of performing his assigned duties.
- c) No member shall use his position to receive free admission to any sport event, place of amusement, etc.
- d) No member shall accept any free meal or any other favor that would not be offered to a private citizen.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXII) HIRING SWORN PERSONNEL

1) POLICY

- a) It is the policy of the Laurel Police Department to select the best qualified candidates for the position of peace officer in accordance with Montana law and other applicable regulations. Applicants who fail to meet the minimum standards set forth by the Laurel Police Department or by law will not move on to the next phase of the hiring process.

2) PROCEDURE

- a) The procedure used for selection of successful applicants shall be comprised of, but not necessarily in order, of the following:
 - 1. Application
 - 2. Minimum Qualifications
 - 3. Criminal History Check
 - 4. Written Test
 - 5. Physical Fitness Test
 - 6. Ranking of Applicants
 - 7. Situational Testing/BPAD testing (if available)
 - 8. Interview with the Laurel Police Commission
 - 9. Conditional Offer of Employment Personal History Packet
 - 10. Background Investigation
 - 11. Personal Interview
 - 12. Medical Examination
 - 13. Psychological Examination
 - 14. Final Oral Interview
- b) Any candidate that fails any of the steps listed above will be removed from the hiring process until the next testing cycle where they may re-

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

apply.

3) APPLICATION

- a) All persons interested pursuing employment for the position of peace officer must submit a formal application.

4) MINIMUM QUALIFICATIONS

- a) All applicants shall meet all qualifications as outlined in 7-32-303, MCA.

5) CRIMINAL HISTORY CHECK

- a) The Laurel Police Department shall complete a criminal history check on all applicants.

6) WRITTEN TESTING

- a) All applicants shall be required to submit to a written examination selected by the Laurel Police Department. Applicants must receive a passing score as determined by the Laurel Police Department.
- b) Applicants will be notified of time and location for which the written test will be administered.
- c) Applicants who receive a passing grade on the written test will proceed to the physical ability test.

7) PHYSICAL ABILITY TEST

- a) All applicants will be required to participate in the Montana Law Enforcement Academy (MLEA) physical ability test to determine that the applicant has met the minimum requirements for acceptance and successful completion of the Law Enforcement Officer Basic Course.

8) RANKING OF APPLICANTS

- a) Applicants will be ranked based on total points achieved from the written test and the physical ability test. Preference points allowed by Montana statute Title 39, Chapters 29 and 30 will be awarded.

9) SITUATIONAL/BPAD TESTING

- a) Depending on the number of openings, the Chief of Police will decide how many of the applicants will be invited to take situational testing/

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Behavioral Personality Assessment Device. The applicants having the top scores from the written and physical testing will be invited to the test.

10) ORAL INTERVIEW

- a) Successful applicants will be scheduled for an interview with Laurel Police Commission and two Laurel Police Department Officers.

11) CONDITIONAL OFFER OF EMPLOYMENT

- a) Applicants who successfully completed all preceding phases of the above mentioned procedure shall be provided a Conditional Offer of Employment (COE), and required to complete a Personal History Packet.

11) PERSONAL HISTORY PACKETS

- a) Applicants will be required to provide all information as requested for in the Personal History Packet, including a notarized waiver granting access to any and all documents and information sought by the Laurel Police Department.

12) BACKGROUND INVESTIGATION

- a) The Chief of Police will appoint a person from within the Laurel Police Department to complete a comprehensive background investigation using information provided for in the Personal History Packet and other resources available to the investigator.

13) PERSONAL INTERVIEW

- a) The Chief of Police will appoint a person to conduct an oral interview with the applicants regarding the provided responses contained within the Personal History Packet,

14) EXAMINATIONS

- a) Applicants will be required to have a medical examination of overall health that may include blood work, drug screen, hearing test, and eye exam.

15) PSYCHOLOGICAL EXAMINATION

- a) Applicants will be required to undergo a psychological examination to be conducted by a licensed psychologist.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

16) ORAL INTERVIEW — FINAL INTERVIEW

- a) Applicants will be interviewed by the Chief of Police or designee.

17) SELECTION

- a) The Chief of Police will take the name of the top candidate(s), decided at the oral interview with the Laurel Police Commission, and present the name(s) to the Laurel City Mayor for appointment.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXIII) INTOXICATED PERSONS / LEVEL 1

1) POLICY

- a) It is the policy of Laurel Police Department to attempt to assist persons who have not committed a criminal offense, but who appear to be intoxicated in public when and only if they appear to be a risk to themselves or others.

2) DEFINITIONS.

- a) "Intoxicated Person" — means a person whose mental or physical functioning reasonably appears substantially impaired as a result of the use of alcohol.

3) PROCEDURES.

- a) A person who appears to be intoxicated in public and in need of help does not commit a criminal offense solely by reason of being in an intoxicated condition unless they are in violation of M.C.A. 61-8-508.
- b) If a person who reasonably seems to be intoxicated in a public place appears to be in need of help, an officer may proceed as follows:
 - 1. Assist the intoxicated person to the person's home.
 - 2. Release the intoxicated person to a sober adult that is willing to accept responsibility for the intoxicated person.
 - 3. Assist the person to an approved facility;
 - 4. Assist the person to another health care facility.
- c) If none of the above options are available, the person may be detained until the person is no longer a risk to themselves or to others.
- d) If the person is detained, no record or entry may be made to indicate the person was arrested or charged with a crime.
- e) An officer may take reasonable steps for the officer's own protection during the intervention of these incidents.
- f) An officer shall make every reasonable effort to protect the officer's and the person's health and safety.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- g) An officer who takes any action under this policy will document the action taken in a written report.

- h) Any intoxicated person, either by drugs or alcohol, who has been arrested, may only be released to a sober adult that is willing to accept responsibility for the intoxicated person. If there isn't a sober adult able or willing to accept custody of the intoxicated person then the intoxicated person will be transported to the detention facility.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXIV) JUVENILE ARREST AND CUSTODY GUIDELINES / LEVEL 1

1) PURPOSE

The purpose of this policy is to provide guidance to Laurel Police Department officers in making arrests and taking juveniles (youths) into custody in a fashion that provides a reasonable level of safety and security for the officer(s), juvenile offender(s) and the public.

2) SUPPORT SERVICES AND RESOURCES.

- a) In addition to the following guidelines, officers involved in arrest and custody of juveniles should be aware they have access to the following resources:
 - 1. The County Attorney in cases involving offenses that would be felonies if committed by an adult;
 - 2. The Juvenile Probation Officer for lesser offenses; and
 - 3. The Department of Public Health and Human Services, (DPHHS) in cases involving dependent or neglected youth or a need for youth shelter services.

3) POLICY

- a) Juvenile offenders will be dealt with as prescribed by the Montana Youth Court Act, (M.C.A. Title 41, Chapter 5). Officers dealing with juvenile offenders should employ the least coercive alternatives consistent with preserving public safety, order, and individual liberty.

4) COURTS OF JURISDICTION.

- a) Juveniles cited for traffic, alcoholic beverage, tobacco products and gambling laws violations are subject to City Court jurisdictions. All other violations must be cited into Youth Court, as provided in Montana Code Annotated § 41-5-203. Montana Youth Court has concurrent jurisdiction over offenses involving alcohol, tobacco, and gambling, however, these offenses should initially be cited to City Court.
- b) Juveniles committing traffic offenses under Montana Code Annotated Title 61 may not be incarcerated, however they may:
 - 1. Be fined not to exceed the fine that could be imposed on an adult for the same offense;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2. Have their license suspended or revoked; and
3. The vehicle used in the offense may be impounded up to 60 days if the Court finds the juvenile owns the vehicle or is its only user, as provided in Montana Code Annotated § 61-8-723.

5) JUVENILE DETENTION

- a) When a juvenile commits a status offense, which is a crime that would not be considered illegal if committed by an adult, then the child may not be secured in a locked room. The area where the youth is held is an unlocked multipurpose area; such as a lobby, office, interrogation room or other area that is not designated or used as a secure detention area or that is not part of a secure detention area; or, if part of such an area, that it is used only for the purpose of processing, such as a booking room.
- b) On all other offenses the juvenile may be secured in accordance with M.C.A. 41-5-349.

6) JUVENILE FINGERPRINTS AND PHOTOGRAPHS

- a) For criminal identification purposes, a youth may be fingerprinted or photographed as prescribed in Montana Code Annotated § 41-5-1206 if:
 1. If a youth is arrested for conduct alleged to be unlawful that would be a felony if committed by an adult;
 2. If a youth is arrested pursuant to a search warrant, supported by probable cause, issued by a judge, justice of the peace, or magistrate; or
 3. If a youth is arrested upon the order of the Youth Court Judge, after a Petition alleging delinquency has been filed.
- b) Fingerprint records and photographs may be used by the department of justice or any law enforcement agency in the judicial district for comparison and identification purposes in any other investigation.

7) YOUTHS PLACED IN THE YOUTH DETENTION FACILITY

- a) A youth may be placed in a secure detention facility only if the youth has allegedly committed an act that if committed by an adult would constitute a criminal offense. A youth may be placed in a secure detention facility if the youth is alleged to be a delinquent youth or:

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

1. Has escaped from a correctional facility or secure detention facility;
 2. Has violated a valid Court Order or a Parole Agreement;
 3. The youth's detention is required to protect persons or property;
 4. The youth has pending court or administrative action or is awaiting a transfer to another jurisdiction and may abscond or be removed from the jurisdiction of the Court;
 5. There are not adequate assurances that the youth will appear before the Court when required; or
 6. The youth meets additional criteria for secure detention established by the Youth Court in the judicial district that has current jurisdiction over the youth; or
 7. The youth has been adjudicated a delinquent and is awaiting final disposition of the youth's case or,
 8. If the youth is alleged to be a Runaway from another state.
- b) Whenever the officer arrests a juvenile for criminal charges and believes, the youth must be placed in detention, the officer will contact the youth detention facility. After confirming with the detention facility that there is room for the juvenile, the officer may place the youth in detention.
1. Any time a youth is placed in the detention facility the parents or guardian of the youth will be notified as soon as possible. They will be given the phone number to youth court. The parents/guardians should be told they need to contact youth court at 0800 the next business day.
 2. Reports will be completed and faxed to youth court prior to 0700 hours of the next business day.

8) CRITERIA FOR PLACEMENT OF YOUTH IN SHELTER CARE FACILITY.

- a) A youth may be placed in a shelter care facility if the youth and the youth's family need shelter care to address their problematic situation and it is not possible for the youth to remain at home.
- b) A youth may be placed in a shelter care facility if the youth needs to be protected from physical or emotional harm.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) A youth may be placed in a shelter care facility if the youth needs to be deterred or prevented from immediate repetition of troubling behavior.
- d) A youth may be placed in a shelter care facility only if shelter care is necessary to assess the youth and the youth's environment.
- e) A youth may be placed in a shelter care facility only if shelter care is necessary to provide adequate time for case planning and disposition; or shelter care is necessary to intervene in a crisis situation and provide intensive services or attention that might alleviate the problem and reunite the family.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXV) LIGHT DUTY

1) PURPOSE

- a) It is the purpose of this policy to establish the authority for temporary light-duty assignments and procedures for granting temporary light duty to eligible employees within this agency in accordance with M.C.A. 7-32-4136.

2) POLICY

- a) Temporary light-duty assignments, when available, are for officers and other eligible personnel in this agency who, because of injury or illness are temporarily unable to perform their regular assignments.

4) PROCEDURES

- a) Temporary light-duty positions are limited in number and variety. Therefore,
 - 1. Personnel injured in the line of duty shall be given preference in initial assignment to light duty; and
 - 2. Assignments may be changed at any time, upon the approval of the treating physician, if deemed in the best interest of the employee or the employer.
 - 3. Employees on light duty may be assigned any shift or work schedule as necessary to accommodate both the employee and employer needs.
- b) Assignment to temporary light duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.
- c) No specific position within this agency shall be established for use as a temporary light-duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light duty.
- d) Light-duty assignments are strictly temporary and normally should not exceed twelve (12) weeks in duration. After twelve (12) weeks, personnel on temporary light duty who are not capable of returning to their original duty assignment:

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

1. Employees injured in the line of duty may request an extension of temporary light duty, with supporting documentation, to the chief of police. If granted, the extension will not exceed twelve (12) weeks.
 2. May pursue other options as provided by federal or state law.
 3. The City of Laurel may require the employee to submit to an independent medical examination by a health provider of the Department's choosing. In the event the opinion of this second health care provider differs from the foregoing health provider, the employee may request a third opinion at the employer's expense.
 4. The City of Laurel may place the employee on leave per the Family Medical Leave Act.
- e) Officers on temporary light duty are prohibited from engaging in outside employment in which they may reasonably be expected to perform law enforcement functions for which they have been determined physically unable to perform on behalf of this agency.
- f) Depending upon the nature and extent of the illness or injury, an officer on temporary light duty may be prohibited from wearing the departmental uniform, carrying the service weapon, driving a police department vehicle, or otherwise limited in employing police powers as determined by the chief of police.
- g) Light-duty assignments shall not be made for disciplinary purposes and an officer on disciplinary suspension will not be assigned light duty.
- h) Officers may not refuse temporary light-duty assignments that are consistent with the recommendations of an attending physician or certified health-care provider.

5) TEMPORARY LIGHT-DUTY ASSIGNMENTS

- a) Temporary light-duty assignments may be drawn from a range of technical and administrative areas that include but are not limited to the following:
1. Administrative functions (e.g. report review, supervising community service workers, special projects).
 2. Report taking (e.g. telephone reporting unit).

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

3. Clerical functions (e.g. filing, inventory).
 4. When justified, re-assignment to another department
- b) Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities; availability of light-duty assignments; and the physical limitations imposed on the employee.
 - c) Every effort shall be made to assign officers to positions consistent with their rank and pay classification. However, where deemed appropriate, personnel may be assigned to positions designated for personnel of lower rank, pay classification, or job description. The light duty employee thus assigned shall retain the privileges of their rank and title but shall answer to the supervisor of the unit to which they are assigned with regard to work responsibilities and performance.

6) REQUESTS FOR AND ASSIGNMENT TO TEMPORARY LIGHT DUTY

- a) Requests for temporary light-duty assignments shall be submitted to the chief of police. Requests must be accompanied by a statement of medical certification to support a requested reassignment, which must be signed either by the treating physician or other licensed health-care provider. The certificate must include an assessment of the nature and probable duration of the illness or injury, prognosis for recovery, and type of work restrictions.
- b) The City of Laurel may require the employee to submit to an independent medical examination by a health provider of the agency's choosing. In the event the opinion of this second health provider differs from the foregoing health provider, the employee may request a third opinion at the employer's expense.
- c) The employee and representatives of this agency shall cooperate and act in good faith in selecting a third health-care provider, and both parties shall be bound by that medical decision.
- d) An employee who has not requested temporary light duty may be assigned light duty by the chief of police.
 1. Notice shall be provided to the employee of the proposed temporary light-duty assignment together with justification for the recommendation.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2. The employee will submit to an independent medical examination by a health provider, paid for by the employer.
 3. The chief of police will submit to the mayor the evaluation of the employee conducted along with the results of the medical examination.
 4. The employee may challenge the proposed reassignment using established agency grievance procedures but will remain on light duty during the challenge.
 5. The employee may return to full duty pending results of an independent medical examination by a health provider of the agency's choosing. The employee may request a third opinion at the employer's expense. The employee and representatives of this agency shall cooperate and act in good faith in selecting a third health-care provider, and both parties shall be bound by that medical decision.
 6. An employee placed on light duty will automatically receive a twelve (12) week extension if the situation isn't resolved in the first twelve (12) weeks.
- e). As a condition of continued assignment to temporary light duty, officers may be required to submit to monthly assessments of their condition.

7). PREGNANT OFFICERS

- a) Pregnant officers are eligible for temporary light-duty assignments as appropriate to their physical capabilities and well-being.
- b) On a monthly basis, pregnant officers will be required to submit physician's medical certificates that document:
 1. The officer's physical ability to perform the present assigned duties.
 2. The physician's appraisal that the type of work being performed will not injure the officer or her expected child.
 3. Any recommended duty restrictions or modifications including temporary light duty.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) Pregnant officers shall be permitted to continue working on regular duty or temporary light-duty assignments as long as they present monthly physician certificates or until such time as a physician recommends that work be curtailed.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXVI) MISCELLANEOUS RULES AND REGULATIONS / LEVEL 1

1) ARRESTS IN PERSONAL QUARRELS

- a) Members of this department shall not make arrests in quarrels in which they are personally involved or in which a member of their family is involved, except under grave circumstances, such as those which would justify them using self-defense.

2) AUTHORITY IN CIVIL MATTERS

- a) Members of this department are not authorized to take official action in civil matters. An officer shall evaluate any such situation and act with due discretion. In any case of doubt, he shall immediately notify his supervisor. In all cases he shall take such action necessary to prevent a breach of peace.

3) ADDRESS AND TELEPHONE CHANGES

- a) Employees shall report any changes of their address or telephone number to the department as soon as possible.

4) DEPARTMENT KEYS

- a) Members of this department shall obtain permission of the Chief of Police before having duplicates made of departmental keys. Keys or access cards/fobs will not be lent out to any person not employed by this department.

5) JOB DUTIES

- a) Members of this department shall thoroughly acquaint themselves with their duties of the office, position, or employment for which they hold. They shall perform those duties thereof properly and with care and attention. Members shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standard of efficiency. Members will discharge their duties with coolness and firmness. In times of peril, they shall act together and assist each other in the restoration of peace and order. Members who shirk responsibility, shall be considered unworthy of employment with this department.
- c) The duties set forth in this manual shall not be considered all inclusive. All members of this department shall perform all other such duties that may be assigned to them from time to time by this department.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXVII) MUTUAL AID/INTER-AGENCY ASSISTANCE / LEVEL 1

1) PURPOSE

- a) Officers of the Laurel Police Department must be cognizant that a priority exists to provide public safety services to the community members within the incorporated city limits of Laurel. It shall be the purpose of this policy to establish specific guidelines in regards to mutual aid/inter-agency assistance which may cause an officer to be removed from his primary responsibilities.

2) ASSISTANCE TO AN OUTSIDE AGENCY

- a) Officers of the Laurel Police Department shall give mutual aid assistance to another agency only upon request. If assistance is requested by an outside agency and there are two or more officers on duty, assistance may be given at the direction of the commander on duty or the shift supervisor (senior officer on duty), in a commander's absence. If assistance is requested by an outside agency and only one officer is on duty, command will be contacted prior to leaving the city limits of Laurel. If command is not available, the on duty officer will evaluate the situation and formulate an appropriate response.
- b) Shift Supervisor shall make notification to Command Staff regarding assistance which is requested from any agency outside the incorporated city limits of Laurel which, based upon the distance, would impact the effective operation of the Laurel Police Department.
- c) A Shift Supervisor shall make notification to Command Staff regarding any request for assistance, which by the nature of the request and of the anticipated duration, would impact the effective operation of the Laurel Police Department.
- d) Upon evaluation of the request for assistance, if no significant distance or significant duration is perceived, such response will be facilitated by the Shift Supervisor. In cases where a Shift Supervisor directs a patrol officer to respond to the request for assistance, the supervisor may at any time direct the return of the officer to the city limits. In the case where a Shift Supervisor responds to a request for assistance, the supervisor shall have the responsibility of ensuring the effective operation of the Laurel Police Department during his absence.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXVIII) NON DISCRIMINATION POLICY / LEVEL 1

1) POLICY.

- a) It is the policy of the Laurel Police Department to afford all people the same rights, dignity and access to law enforcement services.

2) NOTIFICATION OF A DISABILITY

- a) An officer who has been notified by an individual of a disability should make a reasonable effort to accommodate the person's disability.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXIX) OFFICER INVOLVED SHOOTING INCIDENT

1) POLICY

This procedure will be followed for all occasions where the use of deadly force was used by an officer, irregardless if a death actually occurred.

- a) As soon as practical, the involved officer(s) (officers who fired their weapons or used deadly force) will notify dispatch and request a supervisor and back up. Medical aid will be dispatched.
- b) Officers should hand cuff the suspect(s), even if the suspect is severely wounded. The handcuffs may be removed and the suspect un-arrested if medical transport to a hospital is required. All suspects should be detained separately. If other suspects have fled, responding officers should be informed of the details so a perimeter can be established.
- c) Evidence should only be moved if it presents a hazard or if there is a potential for its destruction. When back up arrives the involved officer(s) should advise the backup of evidence that needs protection and any possible witnesses.
- d) Due to the heightened state of emotions officers may not realize they are injured. All officers involved in the event will be carefully checked to see if they need medical care.
- e) When a supervisor arrives on scene, the involved officer(s) should briefly describe what took place in an oral, non-recorded statement. This statement should be brief but detailed enough to convey the nature of what happened.
- f) After the involved officer(s) make the brief statement, they should not discuss the details of the shooting with anyone else until they've had the opportunity to discuss it with an attorney and have given their statement to investigators. All of the officer's rights as an officer or citizen will be enforced.
- g) An outside agency will be contacted to conduct the investigation surrounding the incident.
- h) As soon as practical, the weapons of all officers at the scene should be examined, whether or not they think they fired rounds. If the deadly force involved the use of a firearm, and the officer's weapon is confiscated, the officer will immediately be given an exact replacement weapon.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- i) As soon as practical, non- involved officers (officers that didn't fire their weapons) will give detailed statements of what they observed and will write their reports. The non- involved officer(s) should be observed for signs of emotional distress and given assistance as needed. The on duty dispatcher will also be observed for signs of emotional distress and be given assistance as needed.
- j) Involved officers should have their basic needs met. They should be asked if they need water, food, or a rest room.
- k) Involved officer(s) should not drive to their next destination when they leave the scene. As soon as practical, they will be given the opportunity to contact family members and/or clergy after clearing the scene.
- l) It is recommended the involved officer(s) be checked out by medical personnel to detect unnoticed injuries or other health problems caused by stress, such as dangerously high blood pressure.
- m) As soon as practical, involved officer(s) will be placed on two weeks of administrative leave. They will be allowed to return to duty after being cleared by the department's mental health professional. Officers may voluntarily return early to duty any time after being cleared by the department's mental health professional.
- n) Involved officer(s) should go home and get rest. There will be waiting period of no less than 24 hours, up to 48 hours after the incident before the involved officer(s) will give their recorded statement. The officer(s) will have access to any recordings or videos to refresh their memories before giving their recorded statement to investigators.
- o) Depending on the results of the investigation, the Garrity Warning or Miranda Warning should be read to the involved officer prior to the interview.

2) TYPE OF WARNING TO BE GIVEN

- a) Laurel Police Officers and civilian public employees who are interviewed in an investigatory or adversarial setting should be advised of the nature of the inquiry.
- b) If the inquiry is investigatory, administrative or disciplinary, the **Garrity Warning** should be given. Police officers who are interviewed in a disciplinary setting should be warned that they are under investigation for possible violations of departmental rules, that they are obligated to give statements for internal purposes, and these answers may not be used

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

against them in a criminal proceeding. Garrity v. New Jersey, 385 U.S. 493, 87 S.Ct. 616 (1967).

- c) Refusal to answer questions after being read the Garrity Warning will result in termination of the employee.
- d) If the inquiry is criminal and/or the officer is under arrest or in custody, the **Miranda Warning** should be given.

3) GARRITY WARNING

INTERVIEW ADVICE OF RIGHTS (GARRITY WARNING)

I wish to advise you that you are being questioned as part of an official investigation of the Laurel Police Department. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office.

You are entitled to all the rights and privileges guaranteed by the laws and the constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself.

I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for duty, you will be subject to departmental charges which would result in your dismissal from the Police Department.

If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceeding. However, these statements may be used against you in relation to subsequent departmental charges.

4) SHOOTING REVIEW BOARD

- a) After an officer involved shooting, a review board will be convened. All reports will be made available to a Shooting Review Board. The Board may consist of:
 - 1. Chief of Police or his designee.
 - 2. A member of the command staff.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

3. A Laurel Police Department Officer with 10 years of service or more.
 4. A supervisor from another department.
 5. Another department's officer or deputy of the same rank as the officer involved in the incident.
- b) The Review Board will evaluate, in explicit and fact-finding fashion, each aspect of the incident. Such evaluation should include:
1. A thorough review of the officer's report and any audio or video.
 2. A thorough review of any additional reports, policies, or documents.
 3. Hearing of direct statements, if necessary, from officers and witnesses.
- c) The Review Board shall develop findings and the chairman shall prepare a report making recommendations to the Chief of Police in the following areas:
1. Whether the incident was within policy.
 2. Tactical considerations that could be improved.
 3. Training considerations.
 4. The quality of the post incident investigative processes.
- d) The officer who is the subject of the Review Board may be present during all phases of the board's action with the exception of deliberation. They shall have the right to listen to the presentation of all information and evidence and shall be allowed to speak in their own behalf, if they so choose.
- e) The Review Board's report will be submitted to the Chief of Police as soon as reasonably possible. The Chief will consult with the Mayor and the city attorney to decide on any discipline that may be needed.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXX) OLEORESIN CAPSICUM (OC) / LEVEL 1

1) USE OF O.C.

- a) The use of an approved oleoresin capsicum is authorized when the situation appears to be escalating to a more violent confrontation.
- b) The use of OC must always be protective and never punitive.
- c) Law enforcement officers experience incidents where they are confronted by individuals who display violent and aggressive behaviors. OC has the ability to prevent the situation from escalating further by temporarily incapacitating an aggressor long enough for that person to be physically subdued and taken into custody. OC may be utilized in those situations where further confrontation could result in the possibility of injuries to the officer, the suspect, or others. The use of OC also allows officers the opportunity to temporarily neutralize aggressive or vicious animals without risking the safety of innocent bystanders by the discharge of a firearm.
- d) The use of O.C. is considered use of force. In assessing the potential risk the following characteristics may include but are not limited to:
 - 1. Definable aggressive behavior such as posturing, boxing motions, clenched fists, etc,
 - 2. Verbal statement(s) made by the suspect.
 - 3. Passive resistive behavior such as failure to listen to verbal commands of the officer.
 - 4. Evidence of alcohol or drug use.
 - 5. Prior history of violence.
 - 6. Situations where if the suspect's behavior isn't stopped, may result in injury to the suspect.
- e) OC should be applied in short bursts. When practical, verbal commands such as "Stop or I will spray you" or "Stop resisting", will be used. Use only the amount of OC needed to bring the subject under control. When resistance ceases stop spraying.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2) TRAINING

- a) Prior to carrying an approved chemical agent the officer must be trained in the proper use of the agent. Officers will carry only those OC sprays approved by the Department.

3) FIRST AID

- a) When a subject is subdued and placed into physical custody and not immediately transported to the Yellowstone County Detention Facility, the following steps should be taken at the earliest opportunity:
 1. Get the subject to fresh air Apply water
 2. Use water and soap (non oil base) if necessary
 3. If the subject is wearing contact lenses, allow removal at the earliest opportunity and provide the ability to rinse the lenses in cool water.
 4. The symptoms of OC leave depending on the amount of chemical used and the amount of fresh air and water available.

4) DOCUMENTATION

- a) When OC is used a verbal report shall be given to the immediate supervisor, and a written report documenting it's use completed prior to the end of the shift regarding the incident.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXI) PARTNER FAMILY MEMBER ASSAULT / LEVEL 1

PURPOSE

The purpose is to provide guidance to officers and support personnel with definitions and direction for providing and promoting a consistent, effective response to partner family member assault.

1) POLICY

- a) On duty officer(s) will respond to and investigate all reports of partner family member assault.
- b) Officer(s) will make an arrest in accordance with M.C.A. 45-5-206 and 46-6-311.
- c) A responding officer shall document the facts of the incident and the subsequent investigation (arrest or non-arrest). As per M.C.A. 46-6-601, If no arrest is made, the officer shall document the reason(s) for no arrest in a written report, notifying the Chief of Police.
- d) Officers are required by M.C.A. 46-6-602 to distribute to victims of partner family member assault, the "Notice of Rights to Victim in Partner or Family Member Assault".
- f) If an officer arrests a subject on a charge of partner or family member assault, then a 72 hour "No Contact Order" will be issued to the arrestee.
- g) Officers shall seize any weapon used or threatened with use in the alleged assault, in accordance with M.C.A. 46-6-603. The officer will also assist a victim and any other member of the household to remove necessary personal items, per M.C.A. 46-6-603.

2) ENFORCING FOREIGN PROTECTION ORDERS

- a) Only the Respondent under an Order of Protection may be cited for violation of that order.
- b) The Petitioner may not be cited for violating the order.
- c) All foreign protection orders from any other jurisdiction to include Tribal, Territories, and States will be enforced as written including provisions, which grant relief not available in Montana as prescribed in 40-15-404, MCA.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- d) All foreign protection orders are presumed valid upon presentation to law enforcement. Foreign protection orders do not have to be entered into the CJIN/NCIC system to be considered valid and enforceable.
- e) If the victim does not present a copy of the foreign order, but claims it is valid, there is a presumption of validity of the order until proven otherwise. Immunity from civil action in the matter concerning a foreign protection order is provided under 40-15-406, MCA.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXII) PARTNER FAMILY MEMBER ASSAULT, EMPLOYEE INVOLVED. LEVEL 2

PURPOSE

The purpose of this policy is to provide guidelines for investigating, reporting and responding to partner family member assault incidents involving Laurel Police Department employees.

1) POLICY

- a) Public confidence in law enforcement is important to our ability to maintain public safety. The public must trust that law enforcement employees are held to the standards of the law regarding partner family member assaults.
- b) Therefore, within the City Limits of Laurel, the Laurel Police Department shall:
 - 1. Promptly respond to all allegations of partner family member assault by an employee according to this policy and all applicable laws;
 - 2. Give primary consideration to protection of the victim of partner family member assault and enforcement of the laws;
 - 3. Respect the due process rights of all employees; and expeditiously report and conduct thorough investigations into any allegation of an agency employee involved in partner family member assault.
- c) Incidents of alleged partner or family member assault that involve a paid employee of the Laurel Police Department, will be referred to another agency for investigation and prosecution. If another agency isn't able or willing to assist, the responding officer will conduct the investigation. All other reports of partner or family member assault will be investigated by the officer(s) on duty.
- d) "Employee" is defined as any person currently a paid employee of the Laurel Police Department.
- e) The Laurel Police Department shall provide victims of partner family member assault committed by agency employees, a Laurel Police Department contact to assist the victim through the investigative process. Consideration should be given to selecting a

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

point of contact at least one rank higher than the perpetrator and ideally someone other than the investigator. The primary point of contact will be the Chief of Police.

- f) The Laurel Police Department shall ensure victims of partner family member assault, committed by Laurel Police Department employees, are referred to the Yellowstone County Victim's Services program.
- g) On all cases where the sworn officer is charged with Partner or Family Member Assault, the Laurel Police Department shall relieve the sworn employee of the Department-issued weapon, and identification.
- h) The Laurel Police Department shall provide for an impartial and appropriate criminal investigation of all acts of partner family member assault allegedly committed by a sworn employee.

2) EMPLOYEE RESPONSIBILITIES

- a) Employees with knowledge or information about any employee in violation of this policy must immediately report in writing to their supervisor that information and knowledge.
- b) Failure to report may subject the employee to disciplinary action.
- c) Employees are expected to fully cooperate with the investigation of allegations under this policy as requested by a supervisor, investigator or by Court Subpoena.

3) SUPERVISOR RESPONSIBILITIES

- a) Supervisors shall strive to be aware of behaviors in their subordinates that could be indicative of partner family member assault and properly process and act upon their observations regarding such behavior.
- b) All Laurel Police Department supervisors shall ensure that partner family member assault incidents are properly recorded and processed according to this policy and state law.

4) INCIDENT RESPONSE

- a) Notification of an incident of partner family member assault involving any employee requires by the Laurel Police Department:

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

1. Prompt response;
 2. A full investigation; and
 3. A written report.
- b) Patrol responses to the scene of partner family member assault involving employees require on-scene supervisory presence, if available.
 - c) All incidents of partner family member assault by Laurel Police Department employees require notification through the chain of command to the Chief of Police.
 - d) The Chief of Police may delegate responsibility for receiving such reports to a specialized person. Anyone so designated should have specialized training regarding the dynamics of violent relationships, victim safety and the role of advocacy. The assignment should be reviewed each time for potential conflicts of interest.
 - e) In the event of a report of partner family member assault alleged to have been committed by the Chief of Police, prompt notification shall be made to the Mayor of the City of Laurel, or in the case of an elected Sheriff, prompt notice shall be provided to the County Prosecutor.

5) COMMUNICATIONS AND CALL TAKING

- a) Communication Center employees receiving partner family member assault calls involving employees of the Laurel Police Department shall start a case report and immediately attempt to notify a command officer.
- b) If no supervisor is on duty to respond to the scene, communications center employees should notify an off duty command officer as soon as practical.
- c) Communication Center employee should also prepare and preserve documentation of the facts relating to the call including any and all recordings such as the 911 recording.

6) PATROL RESPONSE

- a) An officer responding to an incident described as partner family member assault involving an employee, whenever possible, shall request supervisory response to the scene.
- b) If an outside agency is unable or unwilling to respond, the primary officer

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

should conduct an investigation including but not limited to:

1. Photographing of the crime scene and any injuries identified;
 2. Taking statements from all witnesses including children;
 3. Seizing of any weapons used or referred to in the crime;
 4. Copying of dispatch records;
 5. Preservation of the 911 call recording;
 6. Taking statement of the victim; and
 7. Taking statement of the suspect(s) if possible.
- c) The primary officer shall inquire if the victim requests any guns or specific weapons be removed for safekeeping and the officer shall accommodate the removal.
- d) The primary officer shall complete the report as soon as possible prior to the completion of their shift.
- e) Access to the report shall be restricted except as mandated by law.
- f) Patrol officers responding to incidents having suspicious circumstances; or incidents involving compelling third-party accounts regarding an incident; or incidents having unexplained property damage; or other troubling events involving Laurel Police Department employees, should complete written reports regarding the incidents.

7) SUPERVISOR RESPONSE

- a) A supervisor is defined as a Laurel Police Department command officer having the rank of sergeant or above. A supervisor may also be defined as a specific officer put in charge for short periods of time when no command officers are available.
- b) A supervisor should respond, whenever practical, to the scene of any partner family member assault incident involving a Laurel Police Department employee.
- c) The supervisor shall coordinate the investigation and ensure prompt notification of the Chief of Police.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- d) The supervisor shall write a report and route the report through the chain of command regardless whether or not the investigation is deemed criminal.
- e) If a Laurel Police Department employee is arrested, the supervisor shall order the surrender of Department issued weapon and identification. Inquiries should be made about voluntary surrender of personal weapons that may be secured for safekeeping.
- f) The supervisor shall endeavor to provide a good-faith-effort to locate the suspect if there is probable cause for an arrest.
- g) The supervisor shall explain the process to the victim including the "Notification of Rights of a Victim", and inform the victim that a Yellowstone County Crime Victim's advocate will be notified of the situation and will be contacting the victim.
- h) The supervisor shall act as the Laurel Police Department contact until another contact is assigned.

8) COMMAND — ADMINISTRATIVE RESPONSE.

- a) When practical, The Chief of Police shall respond to the scene if the involved employee is a Sergeant or above, or if the situation demands a command presence.
- b) The Chief of Police should make a decision regarding removal of the involved employee's law enforcement powers, duty weapon and other department-owned equipment, pending the outcome of the investigation and possible prosecutorial charging decision.
- c) The Chief of Police should issue an Administrative Order prohibiting contact with the victim if appropriate.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXIII) PERFORMANCE EVALUATION PROCESS

1) PURPOSE AND INTENT

- a) The purpose of this policy is to establish a performance evaluation process within the Laurel Police Department. This policy shall set forth criteria and guidelines for the proper evaluation of sworn and unsworn police personnel.
- b) The intent of this policy shall be to fairly evaluate and increase the level of performance within the sworn and unsworn personnel of the Laurel Police Department.

2) EVALUATION PROCESS

- a) It shall be the responsibility of the Chief of Police or his designee to conduct performance evaluations on all police employees. The evaluations shall be conducted on all employees, on an annual basis, on or around the employee's anniversary date and retained as permanent record reflecting such performance appraisal.
- b) It shall be the responsibility of the Chief of Police or his designee to personally meet with, explain, and provide a copy of the performance evaluation to the employee at the time of the performance evaluation.
- c) The employee will fill out a "brag" sheet two weeks prior to the employee's anniversary date. This sheet is used to inform the supervisor of how the employee sees themselves and the supervisor gets a chance to learn something about the employee that may not have been known before. The supervisor will fill out the evaluation using the following criteria. When the employee and the supervisor meet to discuss and explain the evaluation the employee will sign the evaluation. At this time the employee will have the opportunity to state whether they wish to make a statement or not. The complete evaluation will include the "brag" sheet, the evaluation, and the employee statement.
- d) To evaluate an employee, the supervisor will match the employee's work habits to the descriptions. If an employee demonstrates qualities that are both in the (1) and the (4) then the employee is graded as a (2) or (3). If the employee exhibits more of the qualities described in (1) then the employee is graded a (2). If the employee exhibits more of the qualities described in (4), then the employee is graded a (3). The same standard applies for qualities exhibited between grades (4) and (7). If the employee

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

exhibits all the qualities in a particular grade, such as (1), (4), or (7); then the employee will receive a (1), (4), or (7). All grades received in the (1) and (7) categories will be explained in the comments section of the evaluation.

3) EVALUATION CRITERIA

- a) The criteria and acceptable level of performance shall be outlined for specific job tasks and classifications.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXIV) PERSONS WITH MENTAL DISORDERS / LEVEL 1

1) POLICY

- a) It is the policy of the Laurel Police Department to strive to interact with persons who appear to have a mental disorder in a compassionate and safe manner in order to protect the individual, the public, family members and officers.

2) DEFINITIONS

- a) "Mental Disorder" — Any organic, mental or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions as prescribed in 53-21-102(9)(a) MCA.
- b) "Emergency Situation" — means any situation in which any person is in imminent danger of death or bodily harm from the activity of a person who appears to be suffering from a mental disorder and appears to require commitment as prescribed in 53-21-102 (7) MCA.
- c) "Professional Person" — means a Medical doctor, an advanced practice registered nurse with a clinical specialty in psychiatric mental health nursing as prescribed in 37-8-202, MCA,, or a person who has been certified by the Department of Public Health and Human Services, or a licensed psychologist as prescribed in 53-21-106, MCA.

3) PROCEDURES

- a) Recognition - Officers should recognize behaviors that are potentially destructive and or dangerous to self or others. These behaviors may indicate the presence of a mental disorder. Officers should evaluate the behaviors in the total context of the situation.
- b) Signs and symptoms — Persons with mental disorders may exhibit some or all of the followings signs or symptoms:
 - 1. unrelenting fear;
 - 2) extremely inappropriate behavior given the situation;
 - 3) extremely rigid or inflexible behavior;
 - 4) abnormal memory loss;
 - 5) delusions;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- 6) hallucinations of any of the five senses;
- 7) extreme fright or depression;
- 8) extreme paranoia; manic behavior;
- 9) disorganized speech;
- 10) nonsensical speech; disorientation.

4) RESPONSE

- a) When responding to incidents involving persons with a suspected mental disorder, officers should assess the scene and situation. Upon contact with the person or witnesses, officers should attempt to determine if the person presents a danger of death or bodily harm to self or others.
- b) Factor to consider in making a determination of danger of death or bodily harm to self or others may include some or all of the following:
 1. threats made by the person;
 2. access to weapons;
 3. witness statements;
 4. knowledge of the person's history;
 5. lack of emotional control;
 6. likelihood of harm to someone if officer is not present;
 7. prior suicide attempts;
 8. violent behavior; substance abuse;
 9. intoxication;
 10. physical condition.
- c) Suggestions for interacting with persons with a suspected mental illness include the following:
 - 1) manage your own emotions;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- 2) be respectful of the person;
- 3) take steps to calm the situation;
- 4) move slowly;
- 5) communicate with the person by talking slowly, listening, repeating information and explain what you are going to do before you do it;
- 6) be understanding about their present condition;
- 7) don't try to change the person's beliefs;
- 8) stay positive; be aware of your body language;
- 9) do not threaten the person with arrest;
- 10) ask about medications and current care.

5) PROTECTIVE CUSTODY

- a) If an officer believes the person is in imminent danger of death or bodily harm to self or others take the person into protective custody in the least restrictive environment available, pending an evaluation by a professional person. Least restrictive environment does not include a jail or correctional facility as prescribed in 53-21-120 (3) MCA.
- b) The person shall remain in protective custody until evaluated by a professional person or transported to a Medical Facility or Mental Health Facility.

6) PERSONS WITH MENTAL DISORDERS WHO ARE ARRESTED

- a) Persons with a suspected mental disorder may be arrested for a criminal offense when probable cause has been established.
- b) When a person with a suspected mental disorder is arrested, the arresting officer will brief the booking officer as to the charges, and advise the booking officer about the suspected mental disorder and whether the person is in imminent danger of death or bodily harm to self or others.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

7) PERSONS NOT TAKEN INTO PROTECTIVE CUSTODY

- a) Officers who encounter persons with suspected mental disorders and deem them to not be at risk of imminent danger of death or bodily harm to self or others should assist the person in obtaining medical or mental health care. This may include attempting to contact the person's mental health provider and or contacting relatives or friends who can assist the person.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXV) RADIO EQUIPMENT / LEVEL 1

1) RADIO USE

- a) Members of this department shall familiarize themselves with the use of the radio equipment provided.
- b) Members of this department shall not take a vehicle with defective radio equipment into service without first clearing with the immediate supervisor.
- c) During their shift, officers will apprise dispatch whenever they leave their vehicle and insure that dispatch can reach them immediately via portable radio or telephone. The exception to this is clandestine operations in which plans have already been laid and dispatch previously briefed regarding the officer's whereabouts.
- d) To ensure availability for call, uniformed officers will carry a portable radio which they will activate at any time they are out of hearing range of their vehicle's mobile radio. Officers not in uniform will have a cell phone, or similar device, in their immediate possession.
- e) Members of this department shall not make unnecessary radio transmissions on radio equipment.
- f) No Laurel Police Department employee will violate any FCC law or regulation, transmit useless signals, use profane or obscene language on the radio, or willfully or maliciously interfere with radio communications.
- g) Communications Officers will give full and complete information on dispatched calls. Likewise, Officers will give full information to communications officers concerning activities in the field. Communications between officers and communications officers shall be maintained at all times. The importance of being able to contact the officers in the case of an emergency or the officer being able to contact the communications officer in emergency situations cannot be stressed enough.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXVI) RELATIONS WITH SUPERIOR OFFICERS / LEVEL 1

1) OBEDIENCE TO ORDERS AND RULES

- a) Members of this department shall promptly obey all lawful orders and conform to the policies and procedures of The Laurel Police Department.

2) DUTY ON COUNTERMAND OF ORDERS

- b) When an order of a superior officer countermands or changes any previous order, members of the department shall, when practicable, call the attention of the superior officer to such conflict before complying with the new order. If the superior officer giving such order does not change the order to eliminate the conflict, the order shall stand and the responsibility shall be his.

3) COMPLAINTS AGAINST SUPERIOR OFFICERS AND FELLOW EMPLOYEES

- a) When a problem or disagreement occurs, the Laurel Police Department member should approach the other party and try to work it out in a calm, professional manner. If this isn't possible or the Laurel Police Department member isn't comfortable with approaching the other party, then the member should consult with and follow the chain of command.
- b) If a problem requires immediate attention, the Laurel Police Department member should follow the chain of command of the officers present. If the member still isn't satisfied the member may call further officers in the chain of command, if necessary.
- c) If a problem occurs between two Laurel Police Department employees and the offended member doesn't want to approach the other party, the offended member will make an official complaint to the immediate supervisor. The supervisor will investigate the complaint and take any corrective action needed. If either party isn't satisfied, the member may appeal the decision through the chain of command.
- d) If the complaint is of a personal nature and not covered under state law, city ordinance, city policy, or department policy, then the supervisor will sit down with all of the parties. The supervisor will attempt to mediate while they work out the dispute. If it appears to the supervisor that the issue or problem cannot be worked out by the parties then the supervisor will resolve the dispute. If either party isn't satisfied, the member may appeal the decision through the chain of command. If the problem is between the offended member and his/her immediate supervisor, the offended member will go to the next highest officer in his/her chain of

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

command and if not satisfied continue through the chain of command.

- d) No Laurel Police Department member shall present any inter-departmental question or complaint to any city official outside the department, until the member has exhausted all attempts to resolve the issue through the chain of command. The Chief of Police will be notified by the member of the member's intent to take the issue to the next level of the chain of command. This directive shall not govern or affect the filing or processing of official grievances, as may be allowed by the operating agreement.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXVII) RETIRED OFFICERS

1) POLICY

- a) Officers are considered to be retired from the Laurel Police Department when:
 - 1. When the officer has served as a Laurel Police Officer for at least ten (10) years of continuous employment and has left employment being immediately eligible to draw retirement pay from M.P.O.R.S. The officer must have left employment with the department in good standing.
 - 2. When the officer, after completing the applicable probationary period, was retired due to a service-connected disability and is immediately eligible to draw retirement pay from M.P.O.R.S. The officer must have left employment with the department in good standing.
- b) The definition of “good standing” is an officer that was not the subject of any disciplinary action at the time of departure, the officer must not have left due to termination/dismissal by the City of Laurel, and the officer must not have left employment due to reasons of mental instability.
- c) Retired officers will receive an identification card that identifies the officer as a retired Laurel Police Officer.
- d) Retired officers may receive yearly firearms certification for the purpose of carrying concealed weapons, per Federal guide lines. Retired officers will be given a card showing the date of the recertification. Retired officers will have to bring their own ammunition.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXVIII) RIDE ALONG

1) POLICY FOR POLICE OFFICERS

- a) “Ride Along” is a privilege and may be refused by a command officer (Sergeant or above) with no explanation given. Before anyone is allowed to “Ride Along”, a criminal history and records check will be run on the subject.
- b) At a minimum, any officer may refuse a “Ride Along” for anyone with a felony conviction, a misdemeanor conviction within 5 years, is the respondent of a current order of protection, or anyone that is a suspect in a felony crime. Anyone having an officer caution for violence or threatened use of violence may also be refused the “Ride Along” privilege.
- c) A “Ride Along” may not possess a firearm unless the subject is currently employed as a sworn peace officer with powers of arrest within the State of Montana, and receives permission from the Chief of Police.
- d) An officer will not allow the ride along to be actively involved in any case, law enforcement action, or situation unless assistance is required due to an extreme circumstance.
- e) “Ride Along” persons must sign the confidentiality clause and understand that nothing seen or heard while on the “Ride Along” may be repeated or disseminated.
- f) A person may not do a “Ride Along” any more often than one time per calendar quarter. The “Ride Along” may not be longer than eight (8) hours. This restriction will not apply to those subjects in the intern program.
- h) Laurel Police Department employees need only sign one waiver. This waiver will be good for as long as the employee is in continuous employment at the police department and will be kept on file. Laurel Police Department employees need only command approval to be allowed to ride along.

2. POLICY FOR SUBJECTS ON A “RIDE ALONG”

- a) Every person wishing to “Ride Along” will sign the waiver and understand that nothing seen or heard may be repeated or disseminated as prescribed by Montana Code Annotated Title 44

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Chapter 5.

- b) Persons of the media who are doing a “Ride Along” may report on criminal justice information that may be disseminated as prescribed by Montana Code Annotated Title 44 Chapter 5.
- c) Any person on a “Ride Along” may not be actively involved in any case, law enforcement action, or situation unless at the specific instruction of Laurel Police Officer. The “Ride Along” may not speak to or interact with any prisoner, suspect, witness, or person of interest other than to tell them that they aren’t allowed to get involved. The “Ride Along” will follow all reasonable instructions given to them by the officer.
- d) Any person on a “Ride Along” will be clean, neat, well groomed and suitably dressed. Undergarments and shoes are required. However, undergarments should be fully covered including bra straps and waistbands of underwear. At no time should undergarments be visible through or below the outer garments. Slippers and pajama pants are not allowed. Bare midriff, low cut tops, see-through, and backless garments are not appropriate. Tops tied together by strings across the back or around the neck (such as the bandana or halter tied tops), spaghetti strap and tank top style shirts or tops are not acceptable as a style of dress. Shorts/skirts should not be shorter than three inches above the top of the knee cap.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XXXIX) SEARCH AND SEIZURE / LEVEL 1

PURPOSE

The purpose is to provide guidelines to officers regarding searches and seizures.

1) POLICY

- a) The Laurel Police Department shall conduct searches and seizures in accordance with law contained within Montana Code Annotated (MCA), specifically (MCA) 44-12-103 and (MCA) Title 46 chapter 5:
- b) The Laurel Police Department recognizes that the basic concept of the United States and Montana Constitution is to prohibit searches that are conducted without a warrant, unless certain conditions prevail. warrantless searches will be conducted in accordance with accepted judicial exceptions and exclusions to search warrant requirements.

2) EXIGENT CIRCUMSTANCE SEARCHES

- a) Warrantless entry into private property, including a residence or its land may be made under exigent circumstance to:
 1. Preserve evidence that may be damaged or destroyed.
 2. Prevent escape of a criminal.
 3. Prevent a criminal from committing further criminal acts.
 4. Render and/or determine the need for emergency medical aid.
 5. Maintain public safety.

3) DAMAGE TO DOORS AND WINDOWS

- a) The Laurel Police Department is not responsible for any damage to any doors or windows during the performance of their duties while performing warranted entries or warrantless entries under exigent circumstances.

4) OPEN FIELD SEARCHES

- a) Officers should carefully consider the circumstances surrounding warrantless entry and searches of open fields. When conditions permit, these decisions should be reviewed in advance with legal counsel.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) A person may have an expectation of privacy in an area of land beyond the curtilage. When that expectation is evidenced by fencing, signs, or by other means which indicate entry is not permitted. When there is a reasonable expectation of privacy, entry by law enforcement should be by warrant or consent.
- c) Curtilage is defined in common law as the term used to describe the area around a dwelling house where the resident or occupants have some expectation of privacy. In considering the proximity of the area claimed to be curtilage to the home, the courts examine:
 - 1. Whether the area is included within an enclosure surrounding the home;
 - 2. The nature of the uses to which the area is put;
 - 3. The steps taken by the resident to protect the area from observation by people passing by.
- d) Officers are not precluded from making observations of private land from public property.

5) ADMINISTRATIVE INVENTORY

- a) Occasionally it becomes necessary for officers to remove motor vehicles from the scene to a location of greater security. This is necessary in cases of abandonment, vehicles involved in traffic accidents (hit and run, etc.) or when certain arrest actions are executed.
- b) Any vehicle that is being secured on City of Laurel property and considered to be “impounded” should be inventoried if the vehicle isn’t suspected of containing evidence of a crime. An administrative inventory sheet will be filled out and added to the case jacket.
- c) If evidence of a crime is believed to be within the vehicle, then a search warrant should be obtained and an administrative inventory should not be conducted.
- d) During instances when an arrested person is in the Laurel Police Department that person should have all of their property removed from them, especially if they are not going to be within the direct vision of an officer. An administrative inventory sheet will be filled out and added to the case jacket.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Any paper money on the arrested person may be returned to the arrested person to hold on to or included in the administrative inventory.

- e) All purses, bags, wallets, and containers taken into the custody of the Laurel Police Department should be inventoried. This applies to all arrested person's property or any property turned in to the Laurel Police Department for any reason. An administrative inventory sheet will be completed and added to the case jacket.
- f) The justification for an inventory, which is to be considered an administrative function, is:
 - 1. To protect the owner's property when the owner is unable to do so.
 - 2. To protect the officer and the police department against potential civil liability.
 - 3. To protect employees from any harmful or destructive item(s) that may be concealed.
- g) During the course of an Administrative inventory of a vehicle, purse, bag, wallet or container; when contraband, fruits or instruments of a crime or evidence of a crime are discovered, the officer should halt the inventory. The items should be left in their original location and used as probable cause for a search warrant.
- h) Exigent circumstance may arise when the item discovered is of such a nature that its immediate seizure is required to prevent injury, the item from being destroyed, or the evidence dissipating before a search warrant can be obtained.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XL) SOCIAL MEDIA POLICY

1) PURPOSE

- a) The purpose of this policy is to manage the social media outlets of the Laurel Police Department and its members. Social media is defined as a category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to:
 - 1. Social networking sites I.E. Facebook or MySpace;
 - 2. Micro-blogging sites I.E. Twitter, or blogs;
 - 3. Photo and video-sharing sites I.E. Flickr, YouTube;
 - 4. News sites I.E. Digg, Reddit.
- b) This policy establishes this department's position on the use and management of social media. This policy is meant to address social media in general, understanding that as advances in technology occur, new sites, uses, and issues will arise.

2) DEFINITIONS

- a) **Blog:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."
- b) **Page:** The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.
- c) **Post:** Content an individual shares on a social media site or the act of publishing content on a site.
- d) **Profile:** Information that a user provides about himself or herself on a social networking site.
- e) **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- f) **Web:** The World Wide Web

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

3) ON DUTY USE

- a) All department social media sites or pages shall be used and approved of by the chief of police or his/her or her designee.
- b) Department-Sanction Use, Clandestine Sites.
 1. On clandestine web sites, no mention of law enforcement affiliation will be mentioned.
- b) Department-Sanctioned Use, Non clandestine sites.
 1. The page(s) should link to the department's official website.
 2. Social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.
 3. Social media content shall adhere to applicable laws, regulations, and policies.
 4. Social media pages should state that the opinions expressed by visitors do not reflect the opinions of the department.
 5. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
 6. When applicable, pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
 7. Department personnel representing the department via social media outlets shall do the following:

Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

Identify themselves as a member of the department.

Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos,

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

related to department training, activities, or work-related assignments without express written permission.

Not conduct political activities or private business.

8. Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.
9. When using the internet to search, search methods shall not involve techniques that are a violation of existing law.

4. OFF DUTY PERSONAL USE

- a) Department personnel are free to express themselves as private citizens on social media sites.
- b) Employees may not express themselves in ways that their speech impairs working relationships of this department, impedes the performance of duties, impairs discipline and harmony among coworkers, or negatively affects the public perception of the department.
- c) As public employees, department personnel are cautioned that speech on- or off-duty, disseminated in any way, made pursuant to their official duties—that is, that owes its existence to the employee's professional duties and responsibilities—is not protected speech under the First Amendment. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.
- d) Department personnel shall not post, transmit, or otherwise disseminate any confidential criminal justice information or personal/private information to which they have access to as a result of their employment without written permission from the chief of police or his/her designee.
- e) For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. No under-cover personnel will be mentioned or their pictures posted.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- f) When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. In particular, department personnel shall not bring undue attention and/or discredit to the Laurel Police Department.
- g) Engaging in offensive speech may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
- h) Department personnel may not publish materials that could reasonably be considered to represent the views or positions of the Laurel Police Department without express authorization.
- i) Department personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
- j) Publishing, posting, or disseminating in any way the private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person is not permitted;
- k) Department personnel should be aware that privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLI) SPECIAL DUTY AND ADVANCEMENT

1) PURPOSE

- a) The Laurel Police Department will give advancement and special duty assignments based on the following parts:
 - Testing
 - Evaluations
 - Seniority
 - Interview
- b) The total final score will consist of the test results, the “overall evaluation score” from the last three yearly evaluations, a point for each completed year of employment at the Laurel Police Department (at the date of testing), and the score from each member of the interview panel.
- c) Each of the above scores will be added together, never averaged, to give the total final score.
- d) If for some reason, one of the parts isn’t available, then the remaining parts will be used to complete the process.
- e) The interview will be conducted at the discretion of the Chief and will consist of a panel of his/her choosing.
- f) During promotional testing, the lead candidate’s name will be submitted to the Mayor and City Council for final approval.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLII) SPECIAL TACTICAL SITUATIONS / LEVEL 1

1) PURPOSE.

- a) The purpose of this policy is to provide guidelines that establish general procedures for handling special tactical situations that may be comprised of unusual operational activities and problems including, hostage incidents, armed barricaded persons, sniper incidents, aggravated suicide attempts and other tactical problems.

2) POLICY

- a) It is the policy of the Laurel Police Department to respond to special tactical situation incidents in a manner that will promote resolution of the particular situation that includes the minimization of injuries and the preservation of life of all persons involved and to apprehend those persons responsible for criminal conduct.

3) DEFINITIONS.

- a) "Inner Perimeter — means a containment area immediately surrounding the situation location that minimizes and controls movement of a suspect within that area. The inner perimeter should be sufficiently large to present no immediate danger to persons within the area but should be as small as possible to ensure that control and management can be maintained.
- b) "Outer perimeter" — means a large containment area that completely surrounds the inner perimeter and prohibits unauthorized vehicular and pedestrian traffic from reaching the inner perimeter. The outer perimeter should be positioned in a manner to afford protection and safety to anyone outside the outer perimeter boundaries.
- c) "Control Zone" — means the space between the outer perimeter and the inner perimeter. Officers manning the outer perimeter will allow authorized persons into the control zone for restricted purposes as designated by the officer in charge. Depending upon the specific geographic circumstances, unauthorized persons should be evacuated from or secured within the control zone including, bystanders, residents, merchants and others.
- d) "Traffic Control Points" — means key intersections or other locations that restrict all unauthorized vehicular traffic from reaching the boundaries of the outer perimeter.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- e) "Field Command Post" — means a temporary location used as the on-scene command center to coordinate the activities of all operational personnel. The field command post will be placed outside the inner perimeter, preferably inside the control zone, and will include the actual command post facility and a controlled area utilized for assembly and parking. Either a vehicle or another suitable structure may be used as a field command post. Telephone service is mandatory except in very unusual circumstances.
- d) "Administrative Command Post" — means a temporary location used as an assembly point for the on-scene commander and others designated by the on-scene commander for the purpose of administrative control of the situation. Telephone service is mandatory.

4) RESPONSE TO TACTICAL SITUATIONS.

- a) Procedural guidelines are designed to prevent or minimize confusion in assuming command and initiating control procedures.
- b) When possible these variables should be considered when confronted with a complex tactical and/or life-threatening situation such as a hostage or barricaded suspect incident, including:
 - 1. The mental state of the suspect;
 - 2. The physical condition of the hostage;
 - 3. The suspects stated objectives and motivations;
 - 4. The involvement and proximity of bystanders;
 - 5. The location.
- c) The Laurel Police Department will not grant immunity or pay ransom to neutralize a hostage situation.
- d) When a suspect has barricaded himself and does not hold a hostage, the Laurel Police Department should attempt all reasonable measures to affect capture by use of non-lethal means consistent with the offense and the safety of Laurel Police Department personnel and by-standers.

5) DEPLOYMENT OF FORCE. / LEVEL 2

- a) Time is a benefit and shall be made to work to the advantage of the Laurel Police Department. Thoughtful coordinated response is essential.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) Officers should adhere to the Laurel Police Department's policy regarding the Use of Force.
- c) Personnel should maintain strict firearm discipline. Should an individual officer come under attack by the suspect, or if the suspect attacks or attempts to attack the hostage with force, it is not required that an officer wait for instruction to protect themselves or the hostage.
- d) Only those specifically qualified should employ specialized weapons and equipment.

6) OFFICER RESPONSIBILITY.

- a) For the effective coordination of responding forces, it is essential that our personnel not engage in individual action unless forced to do so.
- b) Strict compliance with the directions of the on-scene commander regarding reporting locations, deployment, response routes, traffic and pedestrian controls, and other appropriate instructions must be adhered to by all person involved with these situations.

7) COMMAND AND CONTROL.

- a) The senior officer in the first unit on the scene will have command and control of the situation until relieved by an officer of higher rank.
- b) The on-duty supervisor should deploy arriving officers promptly and efficiently to effect containment as soon as possible.
- c) Command and control should not automatically be relinquished to a superior, nor should the superior assume control until each is certain that all available information relating to the incident is thoroughly explained and understood, and to the maximum extent possible, all personnel understand that command and control is being transferred and to whom.

8) FIELD COMMAND OPERATIONS.

- a) The officer with command and control should implement the following steps:
 - 1. Establish an inner perimeter to contain the suspect. This may be accomplished by making certain the units at the scene are in the best positions possible to effectively contain the site. These officers may serve as an arrest team should the suspect surrender or exit unexpectedly;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

2. Establish an outer perimeter and traffic control points to control vehicular and pedestrian traffic;
3. Locate and establish, or determine a location for a Command Post away from the objective structure;
4. Locate and establish a staging area for responding personnel and supporting agencies away from the command post but within the outer perimeter;
5. Establish a communications network and request frequency restriction for continuous communication with deployed personnel;
6. Attempt to secure maps, aerial photos, assignment sheets and related materials. This material should be brought to the Command Post for strategic planning.

9) NOTIFICATIONS.

- a) When any officer of the Laurel Police Department becomes aware of the existence of a special tactical situation the officer should:
 1. Request sufficient personnel to contain the effected area;
 2. Notify the on-duty supervisor at the earliest possible opportunity;
 3. Periodically update the supervisor.
- b) The on-duty supervisor should ensure notification of the Chief of Police.
- c) The Chief of Police, his designee, or senior officer in charge should determine agency assist requests and the call-out of further officers and reserve officers.

10) COMMUNICATIONS WITH SUSPECTS.

- a) The on-duty supervisor or his/ her designee should attempt to establish communication with any and all suspects until negotiators arrive, whereupon they may delegate the task.

11) EVACUATIONS.

- a) Outer containment personnel should be assigned to evacuate affected residences or bystanders.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) A log should be kept of the residences evacuated as well as those who refuse to evacuate. Evacuations should be encouraged but not forced.
- c) Injured victims should be evacuated when appropriate protective measures can be taken to protect the rescuers should they come under further attack.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLIII) TRANSPORTING SUSPECTS IN CUSTODY / LEVEL 1

PURPOSE

The purpose is to establish guidelines for the transporting of suspects (prisoners) in custody.

1) POLICY

- a) An officer transporting a suspect should always protect the safety and well being of the officer, the suspect, and the public.

2) RESTRAINT EQUIPMENT

- a) The use of handcuffs should be the preferred method while transporting suspects. Handcuffs should be applied immediately prior to and during transport, except in circumstances where the arresting officer determines the use of handcuffs would not be appropriate.

- b) Officers should exercise caution in the application of handcuffs to ensure that they are applied correctly, and do not cause injury or unnecessary discomfort, when applying handcuffs, the following method of use should be employed:

- 1. The suspect's wrists should be secured behind the back with the preferred application of the back of the hands together.

- c) If the above method is not attainable for suspects whose physical size or limitations prevents their arms from being joined behind their back, then persons may be handcuffed as described:

- 1. The suspect's hands may be secured in front of them with the back of the hands together. The handcuffs should be secured through the suspect's belt and the belt laced through the pants so that the belt buckle is exposed to their backside.

- 2. Alternate restraint devices or two sets of handcuffs may be employed to secure the suspect's wrists behind them .

- 3. Suspects whose hands and or wrists are too small for regular handcuffs may be secured with alternative restraint devices.

- d) Handcuffs should be double locked to prevent injury to the suspect's hands or wrists.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- e) Supplemental restraints may be used when the arresting officer has cause to believe that the suspect presents a substantial risk of escape, violent resistance, or injury to themselves or others.
- f) Officers will not attach handcuffs to leg restraints behind the back.

3) TRANSPORT VEHICLE

- a) Vehicles used in transporting suspects should have a barrier separating the driver from the suspect.
- b) The transport vehicle should be so equipped and or modified to minimize opportunities for the suspect to exit from the rear compartment of the vehicle without the aid of the transporting officer.
- c) While transporting suspects, officers should closely monitor the suspect to ensure they have an unobstructed airway and are breathing properly. Officers should be aware of positions which might restrict a person's ability to breathe, or of other medical or physical conditions which might affect the person's well being.
- d) The officer should check the transport vehicle for weapons or contraband prior to and after transporting a suspect.

4) PROCEDURE

- a) To maximize the safety of officer(s), the suspect(s) and the public, the following procedures should be used in transporting suspects in custody.
 1. All suspects in custody should be searched prior to being placed in a law enforcement vehicle.
 2. Suspects should be placed in the rear seat of the vehicle on the passenger side with the seat belt securely fastened, unless the seat belt cannot be safely fastened without significant risk of injury to the officer.
 3. If possible, female suspects being transported should be transported or accompanied by a female officer.
 4. Whenever a suspect is transported, the starting odometer reading, location, and destination should be reported by radio or cell phone at the initiation and termination of the transport.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

5. If a suspect is injured, as a result of the use of handcuffs or during transport, photos of the injury, and a written report will be provided with the arrest report.

5) EXTENDED TRANSPORTS

- a) During normal suspect transports, a rest stop should not be required. Prior to leaving a facility on an extended transport, the officer should allow the suspect to use the rest room.
- b) If while at the hospital, court, or on an extended transport the suspect requires use of the rest room, the officer should accompany the suspect to the rest room keeping the suspect in the officers field of vision. Only officers of the same sex as the suspect may accompany suspects to the rest room to perform these functions.
- c) Upon leaving any of the previously noted locations, the officer should search the suspect prior to resuming transport. Whenever the transport vehicle is left unattended, the vehicle should be locked.
- d) If an officer is required to perform an extended transport and the suspect requires a rest stop, the officer should use appropriate care and caution in determining the proper place to stop. Isolated gas stations in rural areas involve the least hazard.
- e) The officer should never allow the suspect out of sight.
- f) Extended transports require an officer of the same sex as the transported suspect.
- g) The officer should always be cognizant of other persons who may desire to prevent a successful transport.
- h) If a suspect attempts to escape from custody, the officer should summon assistance and subdue the suspect using the force necessary to maintain custody.

6. PERFORMING LAW ENFORCEMENT SERVICES WHILE IN TRANSPORT

- a) An officer should not respond to or engage in other law enforcement activities while transporting a suspect, unless the incident is of such magnitude that an officer or other person is placed in jeopardy of serious bodily harm or death. The officer should be constantly concerned with the safety of the suspect, and should not expose the suspect to unnecessary hazards.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

7. ESCAPE OF A SUSPECT IN TRANSPORT WITHIN JURISDICTION

- a) In the event of an escape of a suspect, the officer shall notify dispatch of the escape and the direction of travel. Dispatch will direct additional units to respond to assist in the apprehension.
- b) If the officer discovers that a suspect is missing and not in sight, the officer must decide whether the suspect is within an enclosed area the officer can control. If the suspect is contained, the officer should:
 - 1. Maintain his position blocking the suspect's escape.
 - 2. Notify Dispatch of his location and status.
 - 3. Await the arrival of assisting officers to aid in the search.
- c) If the officer has reason to believe that the suspect is not within a confined area and is out of sight, the officer should:
 - 1. Notify Dispatch of the officer's location and status.
 - 2. Have dispatch send an "ATL" message; describing the escapee; providing the last known location of the subject; providing the direction of travel if known; description of the escapee including clothing; and criminal charges pending or convicted of.
 - 3. Notify the supervisor.
- d) Under no circumstances should the supervision of other suspects be relaxed to pursue an escaping suspect.
- e) A written report of the escape or escape attempt will be completed. The report will include any use of force deployed, circumstances for the use of force, specific events leading up to the escape or escape attempt, and the action of the officer.
- f) If the suspect is injured during the escape or escape attempt or recapture, the officer should transport the suspect to a medical facility. If the injuries are severe enough to preclude transport in a law enforcement vehicle, the suspect will request and transport in an ambulance. Suspects transported in an ambulance will be accompanied by an officer.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

8. ESCAPE OF A SUSPECT IN TRANSPORT OUTSIDE JURISDICTION

- a) If the escape occurs while an officer is conducting transport outside the Laurel Police Department's jurisdiction, the officer should:
 - 1. Immediately summon assistance by notifying the local law enforcement authority, including: a summary of the situation; description of the escapee including clothing; and criminal charges pending or convicted of.
- b) The officer should then notify his or her supervisor of the incident.
- c) The officer should file a report in the jurisdiction where the escape occurred while maintaining a copy to include with their agencies incident report.
- d) If the escaped suspect is recaptured by an officer, the suspect should immediately be thoroughly searched for weapons or contraband. The suspect should then be placed in appropriate restraints and transported to the original destination or the agency having jurisdiction where the escape occurred.
- e) Under no circumstances should the supervision of other suspects be relaxed to pursue an escaping suspect.
- f) A written report of the escape or escape attempt will be completed. The report will include any use of force deployed, circumstances for the use of force, specific events leading up to the escape or escape attempt, and the action of the officer.
- g) If the suspect is injured during the escape or escape attempt or recapture, the officer should transport the suspect to a medical facility. If the injuries are severe enough to preclude transport in a law enforcement vehicle, the suspect will request and transport in an ambulance. Suspects transported in an ambulance will be accompanied by an officer.

9. MEALS DURING EXTENDED TRANSPORTS

- a) On extended transports the officer should either make arrangements to have the suspect fed prior to the transport or make arrangements with the destination facility to feed the suspect within 1 hour of a normally scheduled meal time and or upon arrival.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) If the transport requires a meal stop before reaching the destination, the officer should plan the route of transport and make arrangements with a local law enforcement agency to feed the suspect at a local detention facility.
- c) If the local detention facility cannot feed the suspect but will hold the suspect in custody, the officer may obtain a meal and feed the suspect at a local holding facility. If utensils are required to eat the meal they should be made of plastic. All containers and utensils should be accounted for at the end of a meal.
- d) If the local detention facility cannot hold or feed the suspect in custody the officer should obtain the meal at a randomly selected "drive-in" restaurant and conduct the feeding in the patrol vehicle or provide a sack lunch prior to the transportation at a randomly selected site.
- e) The suspect should again be searched for weapons or contraband prior to being placed in the transport vehicle.
- f) In no case should the officer take the suspect into a public dining room or restaurant.

10. TRANSPORT TO A MEDICAL FACILITY

- a) Suspects requiring medical treatment should be transported to a medical facility. Officers should provide advanced notification to the medical facility that they are transporting a suspect to the facility for treatment. The notification should include the following:
 - 1. What medical condition requires treatment;
 - 2. What is the expected arrival time;
 - 3. What, if any, risks does the suspect poses to the medical staff or public.
 - 4. What measures will be in place to minimize any such risks.
- b) Upon arrival, the officer should maintain close contact with the suspect to ensure the safety of the medical staff, public, and the officer. The officer should take precautions to restrict the suspect's opportunity to escape.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) The officer should remain with the suspect at all times during the examination and treatment. The officer should be of the same sex as the suspect.
- d) Restraints should not be removed from the suspect unless the medical staff request removal of these restraints. When removing restraints, use utmost caution and only remove those restraints that are necessary for treatment or are requested by the medical staff. In some cases alternative restraints may be appropriate. When handcuffs are removed, use ankle or leg restraints.
- e) Upon completion of the treatment, place the restraints back on the suspect.
- f) If the required medical treatment restricts the officer's access to the suspect or the use of the restraints, the officer should comply with the attending physician's directions after the physician has been advised of safety concerns. If the suspect is a risk to the officer's safety or the safety of the medical staff or may escape, the officer should notify their supervisor and request additional assistance.
- g) If the suspect is admitted into the hospital, the officer in control of the suspect will notify their supervisor as soon as practical for a decision as to whether an officer will be assigned as a guard to keep watch over the suspect.
- h) The officer should obtain all documents, medical releases and or medications from the hospital when the treatment is completed. If the suspect is to be incarcerated, the transporting officer should ensure all documents, medical releases and or medications is turned over to the receiving officer at the detention facility.
- i) If the suspect refuses medical treatment, this should occur in the presence of medical staff. The officer should prepare documentation of the refusal and include those persons present at the time of refusal in their report. The officer may sign the release form for the arrestee's refusal.
- j) Upon conclusion of medical treatment or refusal of medical treatment the officer shall prepare a written report that should include the following:
 - 1. A description of the injuries;
 - 2. A detailed explanation of how the injuries occurred, if unknown, state so and explain. (i.e. suspect had head injuries prior to arrest).
 - 3. Photos of injuries, if appropriate;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

4. Treatment provided; who treated the suspect; and the place, date and time treatment was provided.

11. TRANSPORT TO COURT

- a) When a suspect is required to appear in court, the officer should preplan the transport by acquiring the following information:
 - 1. Suspect's name; charges pending; any pertinent criminal history; any other holds and or warrants; the courtroom and judge scheduled for the suspects appearance; and the date and time of the required appearance.
- b) Officers transporting suspects to court should coordinate the appearance of the suspect with the Court Clerk and follow their procedures.
- c) In cases where the escape risk is great or there is a security hazard, the judge should be notified prior to transport. The judge may allow or direct the use of restraining devices in the court room and may request additional security officers.
- d) In escorting the suspect from the vehicle into the court, the following procedures should be adhered to, under normal circumstances:
 - 1. The officer should walk to the side and slightly to the rear of the suspect, keeping their weapon side away from the suspect; the officer should not turn their back on the suspect; the officer should not allow another person to come between themselves and the suspect; the officer should avoid crowded situations where the suspect might have contact with others; the officer should not allow the suspect to have contact with other persons.
- e) Once in the courtroom, the officer controlling the suspect(s) should, to the extent possible, segregate them from the general public. The officer shall ensure the suspect(s) are sufficiently removed from the public in order to prohibit contact between the suspect and the public.
- f) The officer should be aware at all times of the critical security role assigned to them. The officer should be aware that the victim's and suspect's families represent one of the greatest dangers and may be present during the court appearance.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

12. SPECIAL TRANSPORT SITUATIONS

- a) Physically and mentally disabled suspects present conditions that dictate special care and attention for transportation. If a suspect declares or the officer observes a disability that would preclude the suspect from being placed in the vehicle, the officer should notify the on duty supervisor of the problem. The supervisor should evaluate the situation and request an ambulance or other form of transportation device that is suitable for transport.
- b) If a suspect becomes sick or injured during transport, the officer shall seek the appropriate level of medical care for the suspect.

13. SUPERVISED TRIP TRANSPORT

- a) Unusual circumstances surrounding situations such as funerals and visits to hospitals, or courtroom appearances provide extraordinary opportunities for a suspect to engage in unauthorized personal contact, escape, or the infliction of injury to themselves or others.
- b) Maximum supervision should be required when transporting suspects approved for supervised trips.
- c) In transport situations where there is doubt whether or not restraint equipment should be used, the decision should be reviewed by the supervisor authorizing such transport prior to departure or in compliance with a court order. The following procedures should be followed prior to conducting a special transport:
 - 1. Careful planning made prior to departure to determine any special or significant factors involving possible security hazards;
 - 2. The suspect is thoroughly instructed regarding forbidden practices, communications or unauthorized contacts;
 - 3. The suspect and officer(s) should be "inseparable companions" and the suspect should be so advised;
 - 4. Layovers should be planned so that approved jails or institutions are utilized for temporary holding;
- d) The return of the suspect to the facility following termination of the visit, funeral or courtroom appearance is by means that provide for the most expeditious return. The suspect should be searched and restrained as soon as practical, prior to and during transport.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

14. ARRIVAL AT A DETENTION OR HOLDING FACILITY

- a) Upon arrival at the destination, the officer should notify dispatch and follow their protocol.
- b) The officer should deliver all the necessary paperwork and required legal documents to the receiving officer at the holding facility.
- c) The officer should obtain a receipt from the receiving officer for the suspect and his personal property.

15. COMMUNICATIONS BETWEEN SUSPECT AND CIVILIANS

- a) While transporting a suspect, officers should not allow the suspect to have contact with other persons including the suspect's attorney. The lack of control of the physical surroundings by the officer during transport precludes the suspect to have contact with anyone.

16. DOCUMENTATION

- a) Each suspect being transported from a detention facility should be positively identified as the person who is required to be moved.
- b) In the case of interstate transports, the officer should have a properly executed governor's warrant or a properly executed waiver of extradition.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLIV) UNIFORM REGULATIONS / LEVEL 1

1) PURPOSE

- a) It shall be the purpose of this policy to ensure that members of the Laurel Police Department display the utmost of professionalism in their appearance and dress through the proper wearing of departmental uniforms.
- b) This policy is intended to describe appropriate appearance and dress standards. The policy shall give detailed specifications of uniforms, placement of uniform articles, and individual uniform equipment.

2) AUTHORIZED UNIFORMS

- a) It shall be the sole responsibility of the Chief of Police to authorize the type, color, and wearing of departmental uniforms. The Chief of Police shall submit proper directives to all officers regarding any change in departmental uniform or duty equipment.
- b) Unless within the scope of their duties, Laurel Police Department employees will receive authorization from the Chief of Police, or his/her designee, prior to representing the Laurel Police Department at any function, whether it be in uniform or not.

3) UNIFORM APPEARANCE

- a) All uniforms shall be properly fitted. The shirt and trousers shall fit properly to the individual officer's physique to eliminate excess material. Uniform and uniform articles shall not be worn at any time if they are noticeably worn, patched, or show other repairs that are obvious through casual observation. All uniforms and uniform articles shall be kept in good repair and maintained in a neat and clean condition.
- b) Trouser legs, jacket sleeves, and shirt sleeves will not be rolled or pulled up. All buttons will be buttoned except for the top shirt button. When a jacket is worn it will be zipped / buttoned to a minimum of half way.

4) SHIRTS, WORKING

- a) Shirts will be dark navy blue with a hidden zipper button or button front. Officers will have both long and short sleeved shirts on hand. Shirts will bear the Laurel Police Department shoulder patch on both the left and right sleeve. The shoulder patch will be placed approximately 1 ½" from the top of the sleeve and centered on the outside of the arm.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) Bike patrol uniforms will be those authorized by the Chief of Police. At no time will bike patrol uniforms be used and mixed with the standard working uniform. Motorcycle uniforms will those authorized by the Chief of Police.
- c) The official Laurel Police Department badge will be worn on the left side.
- d) The name tag will be worn up to ¼ inch above the right pocket. The name tag will be silver in color with black letters and be ½ inch in height.
- e) Service star(s) will be worn up to 1/4 inch above name tag and be silver in color and be ½ inch in height.
- f) Special awards will be worn on the right side ¼ inch above the name tag and service star(s)
- g) At the approval of the Chief, one special training pin (such as SRO or Motorcycle Patrol Training) may be worn above the service stars or special award(s).
- h) Tie will be black in color.
- i) Under shirt will be black in color, black turtle necks are permitted during winter season
- j) Badges are to be visible and worn on the outer most uniform apparel

5) PANTS, WORKING

- a) Trousers will be dark navy blue and will be of uniform type. Bike patrol pants and shorts will be those authorized by the Chief of Police.

6) FOOTWEAR, WORKING

- a) Shoes and boots, subject to command approval, will be black in color, shined, and of neat appearance.
- b) At any time, with any uniform, when socks are visible while standing or while sitting with the feet flat on the floor, the socks will be black in color.

7) OUTERWEAR

- a) Jackets will be black in color and have shoulder patches on the shoulders. The shoulder patch will be placed approximately 1 ½" from the top of the sleeve and centered on the outside of the arm. The jackets will

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

have a Laurel Police Department issued / authorized metal badge will be on the left upper chest. A Laurel Police Department authorized cloth badge may be worn in place of a metal badge. Shoulder patches are optional on Laurel Police Department authorized leather coats. Jackets may be worn with the dress/class "A" uniform.

- b) Police sweaters, authorized by the Chief of Police, may be worn in place of, or under a jacket. Police sweaters will bear the Laurel Police Department shoulder patch on both the left and right sleeve. The shoulder patch will be placed approximately 1 ½" from the top of the sleeve and centered on the outside of the arm. If worn as the outermost garment, the sweater will have a Laurel Police Department issued / authorized metal badge on the left upper chest. A Laurel Police Department authorized cloth badge may be worn in place of a metal badge. The sweaters will be dark blue in color.
- c) External ballistic vest carrier authorized by the Chief of Police, may be worn. The vests should be purchased custom tailored to match department issued vests and black in color. The vests will have the officer's name on the right side of the chest and a badge on the left side of the chest. The vest will have a maximum of five (5) pouches in any combination, subject to the approval of the Chief of Police.

8) COLLAR BRASS

- a) Laurel Police Department collar brass will be worn on both the working and dress uniforms. The officer's badge number will be worn on the left side collar and "LPD" will be worn on the right side collar.
- b) The collar brass will be placed low and centered on the shirt collar tip. The lower left and right corners of the collar brass will be ¼ inch from the edge of the collar.
- c) Non command officers will have silver in color collar brass. Command officers will have gold in color collar brass.
- d) Command officers will wear their rank insignia on the right collar, replacing the "LPD" and have the option of wearing the command insignia in place of their badge number also.
- e) Command officers will wear their rank insignia on both the left and right collars of their jackets. The lower left and right corners of the collar brass will ¼ inch from the edge of the collar.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

9) HATS

- a) Hats will be an approved baseball style cap.

10) DUTY BELTS

- a) Duty weapon, magazines, holster, and magazine holder will be those issued or authorized by the department.
- b) Leather gear will be black basket weave. It shall be polished and in good condition. Officers may wear nylon duty gear. At no time will leather and nylon duty gear be mixed.
- c) Suspenders may be worn connected to the duty belt and around the shoulders to help support the weight of the duty belt. Suspenders need not be leather to match the leather duty belt but must be black in color.
- d) At least one pair of handcuffs will be carried by each officer.

11) BODY ARMOR

- a) Body armor will be mandatory while in uniform unless authorized by the Chief of Police.

12) COURTROOM APPEARANCE

- a) Any member called to testify in District Court shall be dressed in the Laurel Police Department dress uniform, hats optional. Reserve officers shall be in full uniform, wearing long sleeved uniform shirt. Unsworn members shall appear in District Court dressed in neat, clean, and professional attire.
- b) Any member called to testify in City or Justice Court shall be dressed in their working uniform. Plain clothes officers may appear in uniform or professional attire.

13) WEARING OF THE UNIFORM WHILE UNDER SUSPENSION

- a) Officers under suspension will not wear the departmental uniform unless authorized by the Chief of Police

14) DRESS / CLASS "A" UNIFORMS

- a) Shirts will be long sleeve, black in color with a hidden zipper button front

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

or button front. Shirts will bear the Laurel Police Department shoulder patch on both the left and right sleeve. The shoulder patch will be placed approximately 1 ½” from the top of the sleeve and centered on the outside of the arm.

- b) Trousers will be black in color and will be of uniform type. The pants will not have a “cargo” style pocket and will be the dress style.
- c) Hats will be black felt and will be the “campaign” style hats with a leather strap to hold it properly on the head. The hat will be worn with the front brim touching the eye brows. A Laurel Police Department authorized metal hat badge will be worn on the front of the hat.
- d) The duty belt will be worn with the dress uniform. It shall be polished and in good condition.
- e) Shoes will be black patent leather, high gloss dress shoes.

15) PERSONAL APPEARANCE / HYGIENE

- a) Male members of the Laurel Police Department shall wear their hair neatly trimmed, clean, and well groomed at all times. The hair shall be moderately tapered and shall not extend below the top of the uniform shirt collar nor cover any part of the ears. The hair may not be dyed any unnatural hair colors and the style may not be one that brings undue attention to the officer.
- b) Female officers shall wear their hair neatly trimmed, clean, and well groomed at all times. The hair shall be worn in a short style which approximates the required appearance for male officers or shall be fastened up off the neck and ears as not to allow an undue advantage to a physically aggressive attacker. The hair may not be dyed any unnatural hair colors and the style may not be one that brings undue attention to the officer. Any lipstick worn will be of neutral color that does not bring undue attention.
- c) Only clear polish may be applied to finger nails. Nails may not be of such length as to interfere with law enforcement duties.
- d) Sideburns shall not extend beyond a point even with the bottom of the ear. Sideburns shall be trimmed and neat in appearance.
- e) A short and neatly trimmed mustache may be worn by any officer. Mustaches shall not extend over the upper lip and may not extend below the corner of the mouth.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- f) A well groomed mustache goatee may be worn by male officers. A goatee shall not be longer than $\frac{1}{4}$ inch long, shall not extend more than $\frac{1}{2}$ inch from the corner of the lips (width), and no further than $\frac{3}{4}$ inch at the chin (measured down and out from the corner of the lip toward the ear)
- g) To prevent unnecessary injury to officers of the Laurel Police Department, the wearing of earrings at any time while in uniform shall be prohibited. This policy is to include all types, styles, and visible locations of earrings.

Due to the importance of clear communicating abilities, at no time will an on duty officer have a tongue stud. Officers may not wear clear retainers, used to keep the piercing hole open, while on duty.
- h) No personal jewelry may be visible while in uniform except for one ring on each hand and one wrist watch. The rings and watch must be not be a style that brings undue attention to the officer.
- i) It shall be prohibited for members of the Laurel Police Department to have any visible tattoos that are sexually offensive, racially offensive, profane, or shocks the public conscience. These tattoos will be covered while on duty. Once employed, all tattoos that are visible to the public must be approved by the Chief of Police prior to being applied.

16) SPECIAL EVENTS UNIFORMS

- a) The Chief of Police may designate a special events uniform. This uniform will be worn for a specific event and the uniform and its use must be authorized by the Chief of Police.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLV) USE OF DEPARTMENT PROPERTY / LEVEL 1

1) CARE OF EQUIPMENT

- a) **LEVEL 2** / Members of the Laurel Police Department are responsible for the care of all department property. No member will intentionally abuse or damage any department property.
- b) All department property and spaces will be free of excess clutter and refuse.
- c) **LEVEL 3** / No Laurel Police Department employee will trade, transfer, pawn, give, or sell any department property unless specifically authorized by the Chief of Police. At the end of a member's employment, all Laurel Police Department property will be returned to the Laurel Police Department.

2) BADGE / CREDENTIALS

- a) **LEVEL 2** / Members of this department shall not use another member's badge, equipment, or official law enforcement credentials without the permission of the Chief of Police, nor shall they knowingly permit any person not a member of this department to use such badge, equipment, or credentials.
- b) Any loss of a badge or other equipment must be immediately reported by the member to his supervisor.

3) WEAPONS

- a) **LEVEL 2** / No Laurel Police Department employee will use or carry any weapon or equipment that is in violation of Montana Law.

4) MOTOR VEHICLES

- b) Members of this department shall operate and maintain the vehicle assigned to them in a careful and prudent manner and shall be responsible for it's proper use and care.
- c) Officers will ensure that their assigned vehicle is properly locked when the vehicle is out of their immediate sight and control.
- d) Members of this department shall not leave or throw refuse about the interior of a department vehicle. They shall take particular care not to

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

damage or soil a motor vehicle past the point of necessity.

- e) Members of this department shall inspect the vehicle assigned to them prior to the start of any shift. Members shall report any visible damage found in writing through the chain of command. If a member damages a vehicle during a shift he/she shall report in like manner.
- f) Members of this department should immediately report any defective vehicle assigned to them to their immediate supervisor. Officers should not operate a vehicle that does not meet all legal safety requirements or that is otherwise mechanically defective.

5) NON EMPLOYEE DRIVERS/PASSENGERS/OBSERVERS

- a) At no time shall members of this department allow persons, other than members of this department, to use departmental vehicles for use without the permission of the Chief of Police or his/her designee. Police vehicles are to be used for police purposes, unless authorization is granted by the Chief of Police.
- b) No person or persons will be permitted to ride in a police vehicle or have access to the police department to observe police/dispatch operations without permission of the Chief of Police or his/her designee. The exception to this is required transporting of persons during the normal course of the officer's duties. Also see "Ride Along" policy.

6) VEHICLE OPERATIONS

- a) Member of this department using departmental vehicles shall ordinarily drive at a lawful speed, taking every precaution to avoid collision and prevent accidents. They shall observe all traffic and parking regulations as far as they are consistent with the performance of police duty. They shall submit a written report of any accident in which they are involved, causing damage to the department vehicles, vehicles of another, person, or property.
- b) When responding to an emergency call, the driver of a police vehicle shall do so in accordance with M.C.A. 61-8-107

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLVI) USE OF FORCE / LEVEL 2

1) POLICY

- a) Each use of force situation is unique and will be evaluated based on the circumstance faced by the officer at the time force is applied. Officers may use the amount of force, which is objectively reasonable to make an arrest or gain control of a situation. As the situation that necessitated the use of force diminishes, so too shall the use of force.
- b) Many force and equipment options are available to the officer. The officer should choose the appropriate option based on the threat, either actual or perceived, including but not limited to:
 1. officer presence, verbal direction, physical control, electronic control devices, chemical or inflammatory agents, impact weapons, firearms, vehicles, and/or weapons of necessity or opportunity.

2) PROCEDURE

- a) The following procedures supplement and provide guidance in application of force.
- b) Officers should use tactics and or weapons as necessitated by the situation.
- c) When deploying any force, for any reason, officers shall exercise reasonable caution in order to avoid unnecessarily endangering the lives of bystanders. When possible, officers should give consideration to background, bystanders, and location.
- d) A supervisor will be notified as soon as possible of cases where the use of force resulted in a serious bodily injury or death.
- e) An officer is justified in the use of force likely to cause death or serious bodily harm only if the officer reasonably believes that such force is necessary to prevent imminent death or serious bodily harm to the officer or another or to prevent the commission of a forcible felony.
- f) Officers may use deadly force to affect the capture or prevent the escape of a felony suspect whose flight is reasonably believed to represent an imminent threat of serious bodily harm or death to the officers or other person(s).

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- g) Officers may discharge a firearm at a moving vehicle or from a moving vehicle if it is necessary to do so to protect against an imminent threat of serious bodily harm or death to the officers or others.
- h) Officers should not fire warning shots.
- i) Whenever the use of force results in an injury, officers should institute appropriate first aid procedures for anyone taken into custody or who needs medical treatment. Officers should follow established procedures for treatment or decontamination.
- j) A vehicle is a law enforcement tool, which is capable of inflicting serious injury or death when used as an offensive weapon. Therefore, its use should be considered in the same manner as any use of deadly force.

3) DESTRUCTION OF INJURED OR DANGEROUS ANIMALS / LEVEL 1

- a) The destruction of an animal is justified for:
 - 1. Self-defense;
 - 2. To prevent substantial harm to the officer or another; or
 - 3. When the animal is believed to be so badly injured that humanity requires its relief from further suffering.
- b) Supervisory approval should be obtained when time and circumstances permit.
- c) Officers using such force against animals will prepare an appropriate report detailing the incident, paying particular attention to the circumstances requiring the immediacy of the situation.

5) REPORTING USE OF FORCE

- a) A report should be made in all occasions where use of force was utilized regardless of whether or not injuries occurred.
- b) Officers using force will document the use of such force in the official reports of the incident and will, in addition, notify their immediate supervisor of such use of force as soon as practical after the occurrence. Reports will be written, documenting the use of force whether or not an arrest is made.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- c) Whenever possible, photographs of any injury should be taken to be included with the report.
- d) In instances where the use of force resulted in an injury, an ambulance will be requested to assess the injury to the subject. If the subject is cleared by medical the subject will be transported to the Yellowstone County Detention Facility. Once there, jail staff will be advised of the injury and that they have been seen by the ambulance.

If either the ambulance or jail staff refers the subject to be seen by a doctor at the hospital, the subject will be un-arrested. The subject will then be released to the ambulance or taken to the hospital.

If the injured subject is a possible threat to ambulance personnel, if an officer is available, the officer will ride with the ambulance and un-arrest the subject at the hospital. Depending on the circumstances the subject may be re-arrested after medical treatment and transported to the Yellowstone County Detention Facility.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

(XLVII)VEHICULAR PURSUITS / LEVEL 1

1) POLICY

- a) The policy of the Laurel Police Department is to regulate the manner in which vehicular pursuits are undertaken and performed.
- b) Officers should continually reassess all factors and conditions during all pursuit situations. Officers must have a direct influence in choosing the preferred response or pursuit in direct relation to the event or circumstance that is being confronted all the while being constantly mindful of the risks to self and the public.

2) PURSUITS

- a) **Definition:** The active attempt by an officer to apprehend the driver and or occupants of a vehicle who, having been given visual and audible signals to stop, willfully attempts to elude and flee by high speed driving, evasive tactics, failing to yield regardless of speed, or any other overt action intended to avoid apprehension.
- b) **Decision to Pursue:** Deciding whether or not to pursue a vehicle is among the most critical decisions a law enforcement officer has to make. Because of the potential risk to public safety, officers and supervisors will not be criticized or disciplined for deciding whether to initiate, engage in, or terminate an ongoing pursuit. This specifically includes circumstances where this policy would permit the commencement or continuation of a pursuit.
- c) **Primary Considerations:** The primary consideration to engage in a pursuit is a discretionary decision. This decision to initiate and continue a pursuit should be based on, but not limited to the following factors:
 - 1. Seriousness of the offense;
 - 2. Probability of apprehension;
 - 3. Can the identity of the suspect and or occupants be established to the point where a later apprehension is possible;
 - 4. Degree of risk created by the pursuit in relation to the risk created by the suspect and or occupants remaining at large or escaping;
 - 5. Volume, type, speed, and direction of all traffic;

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

6. Geographical factors such as residential, commercial, school zone, open highway, etc;
 7. Presence of pedestrian traffic in and around the roadway;
 8. Environmental factors such as weather and darkness; Road conditions, construction, curves, wet, ice, etc.
- b) Officers will terminate a pursuit when the officer has determined that it is no longer prudent to remain engaged or when instructed to do so by a supervisor.

3) PURSUIT PROCEDURES

- a) The following procedures are designed to provide guidance to officers involved in pursuit situations:
1. As soon as practical, officers should notify the communications center that a pursuit is in progress.
 2. Provide as much of the following information as possible:
 - Officer and/or Unit radio identifier;
 - Location, speed, and direction of the pursuit;
 - Vehicle description, including license plate number — whole or in part;
 - Reason for pursuit — specifying alleged criminal act;
 - Number of possible occupants;
 - Traffic, road, and weather conditions;
 - Any radio frequency change.
 3. The initiating primary officer will have operational responsibility for the pursuit, unless relieved by a supervisor. If a command officer isn't available, the Sr. officer on duty has the authority to direct the termination of the pursuit.

4) SUPERVISOR RESPONSIBILITIES

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- a) Supervisors in charge will monitor the progress of pursuits and may direct the termination of the pursuit. Supervisors should consider termination of the pursuit when the risk to the safety of the public exceeds the risk created by the suspect and or occupants remaining at large or escaping.

5) ASSISTING PATROL VEHICLES RESPONSIBILITIES

- a) A pursuit consists of at least a primary unit. Additional units may join in the pursuit as needed or directed by command.
- b) Additional units involved in a pursuit will notify dispatch that they are involved and may be removed from the pursuit by a command officer.
- c) Supervisors should manage the number of patrol vehicles that will actually be engaged in the pursuit to that number that is necessary for the safety of all officers involved and the safe apprehension of the suspect(s).
- d) All additional units will maintain a safe distance behind the primary unit, but close enough to provide assistance if required.

6) PURSUIT INTERVENTION CONSIDERATION

- a) Any intervention tactic at high speed must take into consideration all of the factors surrounding the incident. Safety is always the foremost factor to be considered. Intervention tactics are discouraged without prior approval by a supervisor and will always be guided by the agency's Use of Force Policy.

7) METHODS OF PURSUIT INTERVENTION

- a) Intentional Contact. Intentional contact with a fleeing vehicle is a high-risk maneuver that should be used only if the officer has concluded that this type of contact would be of less risk than allowing the suspect to continue. This method should only be used by officers that have been properly trained and certified in the maneuver.
 - 1. Whenever practical, officers should obtain supervisory approval prior to initiating contact with a fleeing vehicle.
 - 2. This policy and the Laurel Police Department Use of Force Policy should guide officers making these requests and the decision to approve the use of this tactic.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- b) Vehicle Disabling Devices: Fabricated tire deflating devices are acceptable methods of terminating a pursuit. When practical, officers should obtain supervisory approval prior to deployment of these types of devices.
1. Supervisors and Officers considering deploying a fabricated tire deflating device should do so only after giving considerations to all the principles of this policy, and the degree of risk created by the pursuit and the use of these types of devices in relation to the risk created by the suspect and or occupants remaining at large or escaping.
 2. All officers involved in the pursuit must be aware of the exact location of the deployed fabricated tire deflating device so they can reduce speeds in time to allow removal of the device.
 3. Fabricated tire deflating devices will not be used when a pursuit involves motorcycles, three wheeled vehicles or all-terrain vehicles.
- c) Roadblocks: The use of a roadblock is authorized under Montana Code Annotated, 46-5-502, which says in part that any law enforcement agency of this state is authorized to establish, within its jurisdiction, temporary roadblocks on the highways of this state for the purpose of apprehending persons wanted for violation of the laws of this state, of any other state, or of the United States who are using the highways of this state. The following factors should be considered when establishing a roadblock:
1. The site selected will provide sufficient visibility to all oncoming traffic, as well as permit safe off-road
 2. Parking for patrol vehicles and processed vehicles.
 3. Time of day. The hours of darkness should be avoided unless the suspect poses an extreme risk to the safety and or welfare of the public.
 4. A minimum of two officers is needed to adequately process civilian operated vehicles.
 5. The only vehicles that may be used to blockade any portion of the roadway will be marked, unoccupied law enforcement vehicles, except in a use of force situation.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

6. Vehicles used as stationary blockades will be placed at an angle that reveals emblems and or markings to oncoming traffic. Emergency lights will be activated.
 7. The emergency roadblock will be constructed in such a manner as to leave a route through the area. The design should be such that it would be necessary to navigate slowly through the roadblock. A roadway should not be completely blocked by vehicles, except in a situation where the suspect presents an imminent threat of death or serious bodily harm to innocent members of the public.
 8. In a situation where the suspect presents an imminent threat of death or serious bodily injury to the officers or innocent members of the public, a complete roadblock may be used. A roadway that is completely blocked may result in an intentional seizure using force. The officer must be able to clearly articulate specific facts and circumstances as to the immediate need for the seizure, and the use of force during the seizure. A vehicle other than a law enforcement vehicle may be used to completely block the roadway.
 9. Officers should always place themselves in a position of safety. They should never expose themselves to a risk for the sake of stopping a suspect or diverting traffic. If the emergency roadblock is established for the purpose of apprehending a fugitive or fleeing suspect, officers should position themselves to be able to make apprehension of the suspect if they so choose to terminate their flight at the roadblock.
 10. If a patrol vehicle is not being used as part of the roadblock, it should be off the roadway in a safe position to initiate a pursuit should it become necessary. The emergency lights will be activated while in the parked position.
- d) Use of firearms during pursuit: The use of a firearm as a method of intervention constitutes the deployment of use of force and therefore must meet and fall within the acceptable standards contained and imposed by the Laurel Police Department Use of Force Policy.
 - e) Notification: The Chief of Police and designated members of the command staff will be notified as soon as reasonably possible when any intervention action results in injury or death.

8) INTER-JURISDICTIONAL PURSUIT

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- a) When a pursuit initiated by the Laurel Police Department enters another jurisdiction, dispatch or the primary officer should notify the local law enforcement agency of the pursuit. The notification message should include as much as the following information as possible:
 - 1. Officer and or unit radio identifier;
 - 2. Location, speed, and direction of the pursuit;
 - 3. Vehicle description, including license plate number — whole or in part;
 - 4. Reason for pursuit — specifying alleged criminal act;
 - 5. Number of possible occupants;
 - 6. Traffic, road, and weather conditions;
 - 7. Any radio frequency change.
- b) The Laurel dispatch or primary officer should clearly indicate if they are requesting assistance from the law enforcement agency or merely providing notification of the pursuit being conducted.
- c) Officers of the Laurel Police Department will not become involved in pursuits initiated by another agency without a request for assistance.
- d) Officers may continue pursuits across a state line only if the person being pursued is believed to be a felon.
- e) A command officer must be notified immediately when it becomes apparent that a pursuit will cross a state line.
- f) Pursuits are not allowed into Canada.
- g) In pursuit cases where the criminal act is not a felony, officers will not cross a state line except where the degree of risk created by the suspect and or occupants remaining at large or escaping exceeds the risk of the pursuit or where such authority has been specifically granted by mutual aid agreement.
- h) When a pursuit crosses into another state, that state's highway patrol, state police agency, county sheriff's office or other local law enforcement will be contacted immediately and advised of the circumstances of the pursuit.

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

- i) Pursuits may or may not be permitted on tribal lands. Agencies and their officers must be cognizant of the right of tribal authorities, as sovereign nations, to terminate or prohibit pursuits upon their lands.

- j) If a fleeing suspect is subsequently apprehended by a law enforcement agency in a neighboring state, the officer may, with supervisor approval,

go to the termination point.

9) PURSUIT REVIEW PROCESS

- a) The primary pursuing officer will prepare a detailed written report articulating information that should include:
 - 1. Officer and or Unit radio identifier;
 - 2. Location, speed, and direction of the pursuit;
 - 3. Vehicle description, including license plate number—whole or in part;
 - 4. Reason for pursuit — specifying alleged criminal act;
 - 5. Number of possible occupants;
 - 6. Traffic, road, and weather conditions;
 - 7. Any radio frequency changes.

- b) The case report containing reports from all officers involved in the pursuit will be made available to the Chief of Police, or his designee, for the next business day. The Chief of Police will evaluate the circumstances and decide whether a pursuit incident review board will be convened. The review board will be convened if there is an injury, damage to property (except for tire/wheel damage caused by the use of a vehicle disabling device), or an apparent violation of department policy.

- c) If convened, the reports will be made available to a Pursuit Incident Review Board. The Board may consist of:
 - 1. Chief of Police or his designee.
 - 2. A member of the command staff
 - 3. A Laurel Police Department Officer with 10 years of service or

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

more

4. A supervisor from another department
 5. A Laurel Police Department member of the same rank as the officer involved in the pursuit.
- d) The Pursuit Incident Review Board evaluates, in explicit and fact-finding fashion, each aspect of a vehicular pursuit. Such evaluation should include:
1. A thorough review of the officer's report.
 2. A thorough review of any additional reports or documents, such as those submitted to the Laurel Police Department's insurance carrier as a result of accident or injury sustained by any person during the course of the pursuit.
 3. Hearing of direct statements, if necessary, from officers and witnesses.
- e) The Pursuit Incident Review Board shall develop findings and the chairman shall prepare a report making recommendations to the Chief of Police in the following areas:
1. Whether the pursuit was within policy.
 2. Tactical considerations
 3. Training considerations
 4. Quality of supervision during the event
 5. Any corrective action, if required
 6. The quality of the post pursuit investigative processes
- f) The officer who is the subject of the Pursuit Incident Review Board may be present during all phases of the board's action with the exception of deliberation. They shall have the right to listen to the presentation of all information and evidence and shall be allowed to speak in their own behalf, if they so choose.
- g) The Pursuit Incident Review Board's report will be submitted to the Chief of Police as soon as reasonably possible following the incident. The Chief

LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

will consult with the Mayor and the city attorney to decide on any discipline that may be needed.

10) ESCORTS

- a) With the exception of a parade permit issued by the City of Laurel, escorts of private vehicles with the use of patrol vehicles are not authorized. Officers will not authorize the driver of any private vehicle to exceed the speed limit or to ignore traffic regulations, signs or devices.
- b) Officers will not lead or otherwise escort other emergency vehicles. If another emergency vehicle requires traffic control assistance, officers may attempt to clear intersections along the route of the emergency response.